



भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित

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No. 4] NEW DELHI, SATURDAY, JANUARY 28, 1967/MAGHA 8, 1888

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

नोटिस

NOTICE

नीचे लिखे भारत के असाधारण राजपत्र 9 जनवरी, 1967 तक प्रकाशित किये गये:—

The undermentioned Gazettes of India Extraordinary were published upto the 9th January, 1967:—

Issue No.	No. and Date	Issued by	Subject
19	S.O. 139, dated 9th January, 1967.	Election Commission India	Corrections in the Delimitation Commission's Order No. 12, dated 16th September, 1965 relating to the State of Orissa.
20	S. O. 140, dated 9th January, 1967.	Do.	Corrections in the Delimitation Commission's Order No. 11, dated 25th November, 1965 relating to the State of Mysore.
21	S.O. 141, dated 9th January, 1967.	Do.	Correction in the Delimitation Commission's Order No. 9, dated 16th September, 1965 relating to the State of Madras.
22	S.O. 142, dated 9th January, 1967.	Do.	Correction in the Delimitation Commission's Order No. 22, dated 15th June, 1966 relating to the Union Territory of Tripura.

Issue No.	No. and Date	Issued by	Subject
23	S.O. 143, dated 9th January, 1967.	Ministry of Commerce	Authorising Shri Sharaf Ali to take over the management of the Mahalakshmi Mills Co. Ltd., Beawar. Cancellation of Order.
	S.O. 144, dated 9th January, 1967.	-Do.	S.O. No. 4034, dated 28th December, 1966.

ऊपर लिखे असाधारण राजपत्रों की प्रतियां प्रकाशन प्रबन्धक, सिविल लाइन्स, दिल्ली के नाम मांगपत्र भेजने पर भेज दी जाएंगी। मांगपत्र प्रबन्धक के पास इन राजपत्रों के जारी होने की तारीख से 10 दिन के भीतर पहुंच जाने चाहिए।

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

भाग II—खण्ड 3—उपखण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रशासन को छोड़कर) केन्द्रीय प्राधिकरणों द्वारा जारी किए गए विधिक आदेश और अधिवृत्तान्त।

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 17th January 1967

S.O. 293.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby directs that the following amendment shall be made in its notification No. 434/AP/65, dated the 11th January, 1967, namely:—

In the table appended to the said notification, against item No. 37, for the entry "2. Sub-Collector, Jagtial", in column 3, the entry "2. Revenue Divisional Officer, Jagtial" shall be substituted.

[No. 434/AP/67.]

S.O. 294.—In exercise of the powers conferred by sub-section (1) of section 13B of the Representation of the People Act, 1950, and in partial modification of its Notification No. 429/LM/66, dated the 5th April, 1966, published in the Gazette of India, Part II, Section 3(ii), dated the 16th April, 1966 (S.O. 1147) and republished in the Laccadives Gazette No. 15, dated the 1st May, 1966, the Election Commission hereby designates the Special Officer Agriculture, Union Territory of Laccadives, as the Electoral Registration Officer, for the Laccadive, Minicoy and Amindivi Parliamentary constituency.

[No. 429/LM/66.]

New Delhi, the 18th January 1967

S.O. 295.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby appoints, the Assistant Secretary to the Administrator, Dadra and Nagar Haveli, as Assistant Returning Officer for the Dadra and Nagar Haveli Parliamentary constituency, in addition to the officer appointed by the Commission's Notification No. 434/DN/66, dated the 24th March, 1966.

[No. 434/DN/66.]

By Order,

PRAKASH NARAIN, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 16th January 1967

S.O. 296.—In pursuance of sub-rule (2) of rule 9 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that the Secretary of the Commission appointed under the Resolution of the Government of India in the Ministry of Home Affairs No. F. 38/13/66-SR dated the 25th October, 1966 to make recommendations regarding the Maharashtra—Mysore—Kerala boundary disputes, shall be the appointing authority in respect of all Central Civil Posts, Class II, Class III and Class IV, in the Office of the Said Commission:

[No. 38/20/66-SR.]

P. N. VASUDEVAN, Dy. Secy.

CENTRAL BOARD OF DIRECT TAXES

INCOME TAX

New Delhi, the 19th January 1967

S.O. 297.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and of all other powers enabling it in that behalf and in supersession of all the previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in column 1 of the Schedule below, shall perform their functions in respect of all persons and income assessed to Income-tax or Super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:—

SCHEDULE

Range	Income-tax Circles, Wards and Districts
1	2
A-Range, Hyderabad	1. Circle I, Hyderabad 2. Central Circle, Hyderabad 3. A-Ward, Hyderabad 4. I.T. cum W.T. Circle I, Hyderabad 5. Nandyal 6. Project Circle, Hyderabad 7. M.P.P. Circle, Hyderabad
B-Range, Hyderabad	1. Circle II, Hyderabad 2. B-Ward, Hyderabad 3. I.T. cum W.T. Circle II, Hyderabad 4. Survey Circle, Hyderabad

1	2
C-Range, Hyderabad	5. Spl. Survey Circle, I, Hyderabad 6. Spl. Survey Circle, II, Hyderabad 7. Survey Circle I, Hyderabad 8. Survey Circle II, Hyderabad 9. Spl. Survey Circle (old) Hyderabad 10. Mahaboobnagar 11. Sangareddy 12. Gudivada
D-Range, Hyderabad	1. Circle III, Hyderabad 2. C-Ward, Hyderabad 3. I.T. cum W.T. Circle III, Hyderabad 4. Salary Circle, Hyderabad 5. Kurnool
Warrangal Range, Warrangal	1. Company Circle, Hyderabad 2. Company Circle (old) Hyderabad 3. Recovery Circle, Hyderabad 4. Nizamabad 5. Nirmal
Visakhapatnam Range, Visakhapatnam	1. Warrangal 2. Khammam 3. Karimnagar 4. Kothagudem
Kakinada Range, Kakinada	1. Visakhapatnam 2. Vizianagaram 3. Srikakulam 4. Bobbili
Rajahmundry Range, Rajahmundry	1. Kakinada (old) 2. Ramchandrapuram 3. Kakinada-I 4. Kakinada-II 5. Masulipatnam 6. Anakapalle
Vijayawada Range, Vijayawada	1. Rajahmundry 2. Eluru 3. Tanuku 4. Amalapuram 5. Palakole
Nellore Range, Nellore	1. Vijayawada
Chittoor Range, Chittoor	1. Nellore 2. Mica Circle, Nellore 3. Bapatla 4. Tenali 5. Guntur
Anantapur Range, Anantapur	1. Chittoor 2. Tirupati 3. Cuddapah 4. Proddatur
	1. Anantapur 2. Hindupur 3. Adoni

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of Income-tax of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date of this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from the 25th January, 1967.

Explanatory Note

The amendments have become necessary on account of the creation of a new Range of Appellate Assistant Commissioner, known as D-Range, Hyderabad and consequent revision of the Appellate Assistant Commissioners' jurisdiction in the Commissioner's charge.

(This note does not form a part of the notification but is intended to be merely clarificatory).

[No. 3(50/213/66-ITJ).]

S.O. 298.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supersession of all previous notifications in this regard, the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the Ranges specified in Column 1 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to Income-tax or Super-tax in the Income-tax Circles, Wards and Districts specified in the corresponding entry in column 2 thereof:

SCHEDULE

Range	Income-tax Circles, Wards and Districts
1.	2
A-Range, Bangalore	<ol style="list-style-type: none"> 1. Bangalore City Circle I 2. Bangalore City Circle III 3. Kolar Circle 4. Company Circle, Bangalore 5. Chitradurg Circle 6. Tumkur Circle 7. Mysore Circle 8. Coorg Circle, Mercara 9. Hassan Circle 10. Devangere Circle 11. Shimoga Circle 12. Special Survey Circle, Dharwar 13. E.D. cum I.T. Circle, Bangalore
B-Range, Bangalore	<ol style="list-style-type: none"> 1. Bangalore City Circle II 2. Special Survey Circle, Bangalore 3. Salary Circle, Bangalore 4. Central Circles I & II, Bangalore 5. Rural Circle, Bangalore 6. Special Investigation Circles A & B, Bangalore 7. Mangalore Circle 8. Udupi Circle 9. E.D. cum I.T. Circle, Mangalore
Dharwar	<ol style="list-style-type: none"> 1. Dharwar Circle 2. Hubli Circle 3. Karwar Circle 4. Bellary Circle 5. Raichur Circle 6. Gulbarga Circle 7. E.D. cum I.T. Circle, Dharwar

I

2

Belgaum

1. Belgaum Circle
2. Bijapur Circle
3. Goa Circle

Where an Income-tax Circle, Ward or District or part thereof stands transferred by this notification from one Range to another Range, appeals arising out of assessments made in that Income-tax Circle, Ward or District or part thereof and pending immediately before the date of this notification before the Appellate Assistant Commissioner of Income-tax of the Range from whom that Income-tax Circle, Ward or District or part thereof is transferred shall, from the date this notification shall take effect, be transferred to and dealt with by the Appellate Assistant Commissioner of Income-tax of the Range to whom the said Circle, Ward or District or part thereof is transferred.

This notification shall take effect from 25th January, 1967.

Explanatory Note

The amendments have become necessary on account of the re-organisation of the Appellate Ranges in the Commissioner's charge.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 4(50/213/68-ITJ).]

P. G. GANDHI, Under Secy.

MINISTRY OF COMMERCE

New Delhi, the 16th January 1967

S.O. 299.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the Calcutta Wheat, Seeds, and Bullion Association, 149, Cotton Street, Calcutta, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association for a further period of one year from the 31st January, 1967 up to the 30th January, 1968, both days inclusive, in respect of forward contracts in linseed in the city of Calcutta.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(16)-Com-Genl(FMC) 66.]

S.O. 300.—The Central Government having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the West India Cotton Association Ltd., Ahmedabad and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Association for a further period of three years from the 28th January, 1967 up to the 27th January, 1970 (both days inclusive) in respect of forward contracts in cotton.

2. The recognition hereby granted is subject to the condition that the said Association shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(7)-Com. Genl(FMC)/63.]

M. L. GUPTA, Under Secy.

ORDERS

New Delhi, the 7th January 1967

S.O. 301.—In exercise of the powers conferred on me by Notification No. S.O. 1029, dated the 28th March, 1966, I hereby direct that the Producer, specified in Column I of the Table below of the goods as specified in column 2 there against shall sell 57 tonnes of the goods in his possession to the persons specified in the corresponding entry in column 3 of the said table for purposes of manufacture for export at the price indicated there against in column 4 subject to the conditions enumerated in column 5 of the said table.

TABLE

Name of the firm (producer)	Specification of goods	Name of the exporter	Price	Conditions
1	2	3	4	5
HINDUSTAN Aluminium Corporation Renukoot, Dist. Mirzapur (U.P.)	E. C. Grade Aluminium Wire rods IS: 1841/1961 in 3/8" dia.	Jaipur Metals and Electricals Ltd. Near Railway Station, Jaipur, Rajasthan.	Normal Controlled Price at the time of delivery.	Material should be delivered by the end of January.

[No. F. 31/27/66-EP/Engg.]

New Delhi, the 17th January 1967

S.O. 302.—In exercise of the powers conferred on me by Notification No. S.O. 1029 dated the 28th March, 1966, I hereby direct that the Producer, specified in column I of the Table below of the goods as specified in Column 2 there against shall sell 14.2 M/T. of the goods in his possession to the persons specified in the corresponding entry in column 3 of the said table for purposes of manufacture for export, at the price indicated there against in column 4 subject to the conditions enumerated in column 5 of the said table.

TABLE

Name of the firm (producer)	Specification of goods	Name of the exporter	Price	Conditions
Indian Aluminium Co. Ltd., Calcutta.	14.2 M/T. of Aluminium wire rods of Electrolytic quality.	M/s. Calcutta Wire Works 6, Tiljala Road, Calcutta-46.	Normal controlled price at the time of delivery.	Supplies should be made by the middle of February.

[No. 31/9/66-EP/Engg.]

By Order etc.

A. C. BANERJEE,

Essential Commodities (Regulation of Production and Distribution for purposes of export) Order, 1966.

MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION

(Department of Agriculture)

New Delhi, the 16th January 1967

S.O. 303.—In exercise of the powers conferred by section 6 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government

hereby declares that the provisions of the said Act shall apply to the following articles, namely:—

“Meat chicken and dressed chicken meat.”

[No. F. 15-7/66-AM.]

New Delhi, the 17th January 1967

S.O. 304.—In exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby further makes the following amendments to the Tobacco Grading and Marking Rules, 1937, the same having been previously published as required under the said section, namely:—

Amendments

1. These rules may be called the Tobacco Grading and Marking (Amendment) Rules, 1967.

2. In the Tobacco Grading and Marking Rules, 1937 in Schedule XVII, after condition 5, the following conditions shall be inserted, namely:—

- “6. That the owner of each redrying factory shall declare the rated capacity of the redrying machine.
7. That as long as the bales are ware-housed in the factory premises, the factory owner shall be responsible to see that labels and seals are in tact.
8. That the owner of every redrying factory shall provide adequate accommodation with proper light to facilitate the examination by the Inspecting Officer of loose tobacco in baskets intended for re-drying and packing in the absence of the Inspecting Officer.
9. That the owner of every redrying factory shall maintain a register as per proforma given below:”

Date and time	S. No. bales/cases, packed in 24 hrs.	Factory and excise S. No.	Variety, grade and year of harvest.	Agmark St. Nos.	Nett Weight (Kg.)
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[No. F. 11-2/66-AM.]

B. D. KAPUR, Under Secy.

MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

ORDER

New Delhi, the 16th January 1967

S.O. 305.—In pursuance of sub-rule (I) of rule 10 of the Central Civil Service (Classification, Control and Appeal) Rules, 1965, and all other powers hereunto enabling, the President hereby empowers,—

- (a) the Consultant in Medicine and Medical Superintendent, Willingdon Hospital and Nursing Home, New Delhi;
- (b) the Co-ordinator of the Central Government Health Scheme dispensaries and hospitals service and Medical Superintendent, Safdarjang Hospital, New Delhi;
- (c) the Principal, Lady Hardinge Medical College, New Delhi;

(d) the Principal-Director, Maulana Azad Medical College, Irwin Hospital and G.B. Pant Hospital, New Delhi;

to place under **suspension**, in the circumstances mentioned in clause (a) or clause (b) of the said sub-rule, any member of the Central Health Service serving in an organisation subject to his/her administrative control.

[No. F. 16-3/65-CHS (Pt. II).]

GOVIND NARAIN, Secy.

ORDER

New Delhi, the 17th January 1967

S.O. 306.—Whereas the Government of India in the Ministry of Health has, by notification No. 16-44/61-MI, dated the 23rd July, 1962, made in exercise of the powers conferred by sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), recognised the medical qualification "ARTSEXAMEN" (i.e., Diploma Medical Faculty) granted by the University of Amsterdam for the purposes of the said Act;

Now, therefore, in exercise of the powers conferred by the proviso to sub-section (1) of section 14 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby specifies a further period of two years with effect from the 23rd July, 1966 or so long as Dr. (Miss) H. Kreuger who possesses the said qualification, continues to work in the Church of Scotland Mission Hospital, Jalna, District Aurangabad (Maharashtra State) to which she is attached for the time being for the purposes of teaching, research or charitable work, whichever is shorter, as the period to which the medical practise of the said Dr. (Miss) H. Kreuger shall be limited, provided that during this period she continues to be enrolled as a medical practitioner in accordance with the law regulating the registration of medical practitioners in her country.

[No. F. 19-20/66-MPT.]

P. C. ARORA, Under Secy.

MINISTRY OF INDUSTRY

ORDER

New Delhi, the 11th January 1967

S.O. 307/IDRA/6/1/67.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951, (65 of 1951) read with rules 2, 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, for a period of two years with effect from the 17th October, 1966, the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture or production of sugar, in place of members appointed under the Government of India, late Ministry of Industry and Supply Order No. S.O. 3971, dated the 9th November, 1964, as amended from time to time, whose terms of office has expired by efflux of time or otherwise:—

"Development Council for Sugar"

1. The Secretary, Department of Food, Ministry of Food, Agriculture, Community Development & Cooperation, *New Delhi* (Ex-officio)—*Chairman*.
2. The Joint Secretary Incharge of Sugar, Ministry of Food, Agriculture, Community Development & Cooperation, (Department of Food), *New Delhi* (Ex-officio).
3. Shri M. R. Shervani, M.P., 11, Sundernagar, *New Delhi*.
4. Shri R. P. Nevatia, M/s. Hindustan Sugar Mills Limited, 51, Mahatma Gandhi Road, *Bombay*.
5. Shri S. K. Somaiya, M/s. Godavari Sugar Mills Limited, Fazalbhoy Building, Mahatma Gandhi Road, *Bombay*.
6. Shri M. N. Pittle, 29-B, Dongersey Road, Malabar Hill, *Bombay*.
7. Professor D. R. Gadgil, M.P. President of National Federation of Co-operative Sugar Factories Ltd., Gokhale Institute of Politics & Economics, *Poona*.
8. Shri P. S. Rajagopal Naidu, Vice-President of National Federation of Co-operative Sugar Factories Ltd., 'Prem Kutir', 11, Infantry Road, *Vellore* (Madras State).

9. The Chief Director, Directorate of Sugar & Vanaspati, *New Delhi* (Ex-officio).
10. The Director, National Sugar Institute, Post Box. No. 16, *Kanpur* (Ex-officio).
11. The Director, Sugarcane Breeding Institute, *Coimbatore* (Ex-officio).
12. Shri K. J. George, Director (FIC), Ministry of Industry, *New Delhi*.
13. The Cane-cum-Sugar Commissioner, U.P., *Lucknow* (Ex-officio).
14. The Cane Commissioner, Bihar, *Patna* (Ex-officio).
15. The Director of Industries & Commerce, Government of Mysore, *Bangalore* (Ex-officio).
16. Shri T. N. Lakshminarayanan, Secretary to the Government of Madras, Industries, Labour & Housing Department, *Madras*.
17. Shri A. W. Khan, Joint Registrar of Cooperative Societies (Sugar), Government of Maharashtra, *Poona*.
18. The Director of Agriculture, Government of Andhra Pradesh, *Hyderabad* (Ex-officio).
19. The Cane Commissioner Punjab, *Chandigarh* (Ex-officio).
20. Dr. B. L. Amla, Scientist, Central Food Technological Research Institute, *Mysore*.
21. Shri S. B. P. V. Chelapati Rao, 12, Rutland Gate IV Street, *Madras-6*.
22. Shri J. M. Saha, Superintending Technologist, Birla Sugar Research Laboratory, *Hargaon*.
23. Shri Mata Din Khaitan, Bengal Sugar Merchants' Association, 2C, Ramkumar Rakhit Lane, *Calcutta*.
24. Shri Chandrakant T. Shanghvi, President, Bombay Sugar Merchants' Association, 104-114, Frere Road, *Bombay*.
25. Shri Ram Charan Bharti, Cawnpore Sugar Merchants' Association, C/O M/s. Prahlad Rai Murari Lal, Naya Ganj, *Kanpur*.
26. Shri Kashi Nath Pandey, M.P. President, Indian National Trade Union Congress, U.P. Branch, 19, Lajpat Rai Marg, *Lucknow*.
27. Shri Kishore Power, Representative, Hind Mazdoor Sabha, Kopergaon Tuluka Sahhar Kamgar Sabha, P.O. *Kopergaon* (District Ahmednagar).
28. Shri M. L. Jadhav, M.P. (Lok Sabha), 162, North Avenue, *New Delhi*.
29. Chaudhary A. Mohammad, M.P. (Rajya Sabha), 110, South Avenue, *New Delhi*.

2. Shri P. K. Ray, Deputy Director (Sugar Technical) Directorate of Sugar & Vanaspati (Department of Food) is hereby appointed to carry on the functions of Secretary to the said Development Council.

[No. 2(2)/Dev. Council/66-L.C.]

R. C. SETHI. Under Secy.

ORDER

New Delhi, the 19th January 1967

S.O. 308/INDRA/6/1/66.—The name of the following member shall be added to the list of members of the Development Council for Leather and Leather Goods given in para 1 of this Ministry's Order No. S.O. 3404-IRDA/6/1/66, dated 29th October 1966, published in the Gazette of India dated 12th November, 1966.

Sl. No.	Name and address of the member	Interest representing	Chairman/Member
29.	Shri Swaminath Raja, Editor of the Journal "Tanner", 7, Jer Mansion, Bandra, Bombay-50.	Technical knowledge	Member.

[No. 31(17)/66-L. IND.(II).]

C. BALASUBRAMANIAM, Dy. Secy.

MINISTRY OF TRANSPORT AND AVIATION

(Department of Transport and Shipping)

(Transport Wing)

New Delhi, the 17th January 1967

S.O. 309.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that all contracts and all assurances of property required to be made in the exercise of the executive power of the Union with the Port Trust, Bombay in connection with the fixing of signboards of the Nautical and Engineering College, Bombay, from Gloria Church to the corner of Victoria Road and Mount Road, Bombay, may be executed on his behalf by the Principal of the said College.

[No. 22-MT(29)/66.]

MERCHANT SHIPPING

New Delhi, the 19th January 1967

S.O. 310.—In pursuance of clause (a) of sub-section (1) of section 283 of the Merchant Shipping Act, 1958, the Central Government hereby declares that the Government of the Republic of Indonesia and the Government of Gambia have accepted the Safety Convention as defined in clause (37) of section 3 of the said Act, that is to say, the Convention for the Safety of Life at Sea signed in London on the seventeenth day of June nineteen hundred and sixty, as amended from time to time.

[No. F. 48-MA(10)/66.]

D. S. NIM, Dy. Secy.

MINISTRY OF WORKS, HOUSING AND URBAN DEVELOPMENT

(Directorate of Estates)

POLICY CELL

New Delhi, the 16th January 1967

S.O. 311.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1953 (32 of 1958), the Central Government hereby appoints the officer mentioned in Column I of the table below, being gazetted officer of Government, to be estate officer for the purposes of said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officers by or under the said Act within the local limits as indicated in Column II of the said table.

THE TABLE

Designation of officer. I	Categories of public premises and local limits of jurisdiction II
The Superintending Engineer, C.P.W.D., Faridabad.	Premises under the Administrative control of the Asstt. Estate Manager at Faridabad and the Central P.W.D. at Faridabad, situated within the local limits of Faridabad.

[No. F. 21012(5)/66-Pol.]

K. C. JOSHI, Dy. Secy.

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 13th January 1967

S.O. 312.—With a view to accommodate the Neyveli Lignite Corporation in respect of the use of unscreened flexible cables for the transmission of 400 volt power to the Deep Well submersible pumps installed in bore-holes for ground

water control operation in the Lignite Mine at Neyveli as explained in their application No. 3595/P&A/TWC/66, dated the 13th May, 1966, the Central Government in exercise of the powers conferred on them by sub-rule (2) of Rule 133 of the Indian Electricity Rules, 1956 hereby direct that the provisions of sub-rule (5) of Rule 123 of the Indian Electricity Rules, 1956 shall be relaxed in respect of the use of two lengths of 3 and 4 core unscreened flexible cables in connection with a submersible pump as intended by the designers of the said type of pump for the purpose of ground water control operation at the Neyveli Lignite Mines subject to the conditions that,

- (1) the 400 volt supply to the said submersible pumps of which the unscreened cables form a part shall be controlled by a circuit breaker provided with earth leakage protection;
- (2) the cables shall be tested for their insulation to ground at frequent intervals by a competent person;
- (3) any damage noticed on the cables during periodic overhauls shall be forthwith properly repaired or the cables replaced;
- (4) the lengths of cables provided as a part of equipment by the manufacturers if required to be extended shall be suitably jointed to similar type of cables (unscreened cables) by proper vulcanisation under competent supervision; and
- (5) the part of the cable length outside the bore-hole upto the starting gear shall be enclosed in a suitable metal casing duly earthed and securely fastened at ends.

[No. EL.II-6(47/66.)]

S. NARAYANSWAMY, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 13th January 1967

S.O. 313.—In pursuance of rule 4(b) of the Central Information Service Rules, 1959, the Central Government as the result of the review undertaken, hereby fixes the authorised permanent strength of the following Grades of the Central Information Service as on 1st March, 1966 as under:—

Class I	Authorised permanent strength
Selection Grade	1
Senior Administrative Grade	
(Senior Scale)	3
(Junior Scale)	7

[No. F. 2/16/65-CIS.]

BANU RAM AGGARWAL, Under Secy.

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 13th January 1967

S.O. 314.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta, in the industrial dispute between the employers in relation to the Saltore Colliery, Post Office Saltore, District Purulia, and their workmen, which was received by the Central Government on the 9th January, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 84 OF 1966

PARTIES:

Employers in relation to the Saltore Colliery Dt. Purulia,
AND

Their workmen.

PRESENT:

Shri S. K. Sen, Presiding Officer.

APPEARANCES:

On behalf of employers—Shri D. Narsingh, Advocate.

On behalf of Workmen—Shri S. N. Banerjee, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/8/66-LRII, dated 17th February, 1966 the Central Government referred for adjudication an industrial dispute between the employers in relation to the Saltore Colliery, Distt. Purulia, and their workmen in respect of the subject matter mentioned in the following schedule:

"Whether the action of the management of Saltore Colliery in dismissing Shri Kalicharan Kahar, U.G. Loader is justified? If not, to what relief is the workman entitled?"

2. Kalicharan Kahar was an underground loader employed at Saltore Colliery who had put in 18 years service before the present case. According to the management, he stole a piece of chain from the bottom of Pit No. 3 on 8th May, 1965 in the early hours between 3 A.M. and 4-30 A.M. Nerode Gope who was on duty at the pit bottom of No. 3 pit in the third shift was engaged in pushing loaded tubs into the cage of pit No. 3 so that they might be hauled out of the pit and he was also unloading empty tubs which came down. At about 4-30 A.M. having no loaded tub to put into the cage, Nerode Gope sat in the switch house. Shortly thereafter a loose, viz., a number of tubs loose shunted along the tram line, came there and so Nerode Gope came out of the switch house and pushed two loaded tubs into the cage. Thereafter two empty tubs came down in the cage. In order to drag out the empty tubs, Nerode looked for the chain and the wooden block kept at the bottom of the pit, but he did not find the chain; so with the block he pushed the empty tubs out and told the loose man that the chain was missing. In consequence of what the loose man stated, Nerode Gope sent a trolley to pit No. 2 and he himself went up through pit No. 3 and was walking towards pit No. 2. On the way he met Kalicharan Kahar. According to Nerode Gope, he found something wrapped in a towel which Kalicharan was carrying, and Nerode challenged Kalicharan; the towel was opened and the chain was found. Kalicharan threw away the chain. Nerode then shouted for Doyamoy Sircar, attendance clerk of pit No. 3 to come there and reported the matter to him. Thereafter Nerode took Doyamoy Sircar and Kalicharan to the place where Kalicharan had thrown the chain and took up the chain; and thereafter a report was made to the manager.

3. A chargesheet was served on Kalicharan on 11th May, 1965 in respect of the alleged theft of the chain from the bottom of pit No. 3. Kalicharan replied on 12th May, 1965 denying that he had anything to do with taking the chain. He stated that on 8th May, 1965 he was in the second shift at pit No. 2 and that he went down by pit No. 2 and came up by pit No. 2 and did not go to pit No. 3 at all after his shift ended. The management was not satisfied with the reply and fixed a date for enquiry. It appears that 22nd May, 1965 was the first date fixed for the enquiry and then the enquiry was adjourned to 23th May, 1965 and was ultimately held on 29th May, 1965. On that day B. K. Ghose, Labour Welfare Officer, held the enquiry. He examined 3 witnesses for the management, namely, Nerode Gope, Doyamoy Sircar and Mohan Roy, a workman. No defence witness was examined but Kalicharan made a statement giving his version. The Enquiring officer reported that he was satisfied that Kalicharan was guilty of the charge levelled against him. The manager agreed with the finding and sent up the papers to the agent on 9th June 1965 recommending dismissal. The agent by order dated 18th June, 1965 approved of the dismissal of Kalicharan and the order of dismissal was passed by the manager on 17th July, 1965.

4. Kalicharan was a member of the Colliery Mazdoor Congress which had opened a branch at Saltore colliery in 1963. According to the evidence of the Organising Secretary, Mahendra Narayan Singh, Kalicharan was one of the committee members elected in 1964, although Ext. 2, list of office bearers and committee members elected in 1964, shows the name of one Kalicharan Ram and not Kalicharan Kahar. According to the union, however, Kalicharan Kahar was a leading worker of the newly started union at Saltore which was not recognised by the management; the management recognised another union which was functioning at Saltore from before, namely, Colliery Mazdoor Union affiliated to INTUC; and the management was trying to suppress the newly started union and started false cases against office bearers and committee members elected for the branch of the union at Saltore. Mahendra Narayan Singh stated in his deposition before the Tribunal that two other committee members, Basdeo and Gayani Roy had been dismissed by the management. Ext. 2 shows the name of one Gayani Roy but not the name of any Basdeo. The case of the union is that the charge made against Kalicharan Kahar was pre-planned in order to victimise him for his union activities and that there was a show of enquiry and on the basis of the enquiry Kalicharan was illegally dismissed.

5. Mahendra Narayan Singh stated in the course of his deposition that after opening the branch of his union at Saltore, he addressed a letter to the Regional Labour Commissioner, Implementation, Dhanbad, complaining that the management of Saltore colliery was not paying the sand loaders at the rate prescribed by the Coal Award and that the Labour Commissioner heard the matter at Asansol and the management had to pay back wages to the sand loaders to the tune of about Rs. 7,000. This assertion has not been challenged by the management. If the newly started union thus forced the management to pay back wages to the tune of Rs. 7,000, the management might be displeased with the newly started union; but the question is whether the management started a false and pre-planned case against Kalicharan Kahar because of his membership of the union. It may be accepted that Kalicharan became member of the newly started union but in view of the discrepancy in the Sur name it is not proved that he became a committee member. There is also nothing to show that he took any part in the complaint which was filed by the Organising Secretary of the Union before the Regional Labour Commissioner, Implementation, Dhanbad. That is no reason to find, therefore, that the dismissal of Kalicharan Kahar was a case of victimisation because of his union activities.

6. The next question is whether enquiry was fairly held and whether the report of the Enquiring Officer was rightly acted upon by the management. Kalicharan Kahar in his deposition before the Tribunal stated that on the date of enquiry he went to the Labour Welfare office, but the Labour Officer shut the door of his office against him and forced him to remain outside and the witnesses were not examined in his presence. Shri D. Narsingh appearing for the management has urged that this evidence of Kalicharan Kahar is not worthy of credit. Kalicharan showed himself capable of telling lies by denying that he knew either Nerode Gope or Doyamoy Babu, although in his statement before the Enquiring Officer, he named both Nerode and Doyamoy Babu. There is also the evidence of B. K. Ghose, Labour Welfare Officer, that the witnesses were examined in the presence of Kalicharan and that it is not a fact that Kalicharan was shut out from the room when the witnesses were examined. Such an assertion must be regarded as preposterous and cannot be accepted. It must be held that the witnesses were examined at the enquiry in the presence of Kalicharan, and Kalicharan was asked to cross examine the witnesses but he did not do so, as shown by the endorsement made at the foot of the depositions of the witnesses and as stated by B. K. Ghose in his deposition before the Tribunal. Kalicharan also gave a fairly detailed statement at the domestic enquiry. It appears therefore that the enquiry was held properly. As regards the finding contained in the report of the Enquiring Officer this has been seriously challenged by Shri S. N. Banerjee, appearing on behalf of the Union, because in his report to the Enquiring Officer did not at all deal with the statement which Kalicharan had made at the enquiry and gave no reason why he preferred the evidence of Nerode Gope who was the main witness for the management in preference to the version given by the accused Kalicharan. It must be conceded that the Enquiry report is defective on the points mentioned. The Enquiring Officer merely stated in the beginning of his report that the accused in his reply to the chargesheet had denied the charge; thereafter, he summarised the evidence of the 3 witnesses for the management, namely, Nerode Gope, Doyamoy Sircar and Mohan Roy and stated that the accused did not cross examine the witnesses and did not produce any defence witness; and then stated that he was satisfied that the charge was proved

against the accused. He omitted to consider the defence of Kalicharan as contained in the latter's statement before him. Kalicharan's statement was to the effect that after coming up from pit No. 2 after 3 A.M. he went to the lamp cabin and got himself marked out and that when he was going away he met Nerode that Nerode asked him whether there was any other loader by the side of No. 2 pit and Kalicharan stated that there were 5 or 6 other loaders in the lamp cabin; that Nerode asked him whether he had seen any chain and Kalicharan replied that he had not seen and did not know anything about the chain; that Nerode challenged him saying that he was taking away the chain and asked him to accompany him and that when he was going with Nerode, Doyamoy Babu came up and asked his name and he replied that his name was Kalicharan Kahar and that he told Doyamoy Babu that he knew nothing. Thus Kalicharan admitted the story of Nerode Gope and Doyamoy Sircar in part but did not admit that the chain was actually found with him wrapped up in a towel. On that part of the case there is only the solitary evidence of Nerode Gope but the Enquiry Officer did not give any reason why he preferred his evidence on the point.

7. Shri S. N. Banerjee has referred to certain reported cases in order to support his argument that where the finding of the Enquiring Officer is not reasonable, the tribunal can interfere. One case cited by him is 1962 I.L.J. II 498 (Ritz Theatre Private Limited v its workmen). In that case it was held that it was only when the tribunal is satisfied that a proper enquiry had not been held, or that the enquiry having been held properly the finding recorded at such enquiry was perverse, that the tribunal acquires jurisdiction to deal with the merits of the dispute. Shri D. Narsingh has urged that the finding of the Enquiring Officer can be held to be perverse only if there is no evidence at all to support his finding, whereas in the present case there is at least the evidence of one witness to support the finding of the Enquiring Officer. Shri Banerjee has however urged that the tribunal can examine the matter further and he referred to another decision of the Supreme Court, 1963 LLJ II 396 (Associated Cement Company Limited and their workmen). There the defence witnesses examined at the domestic enquiry were disbelieved on extraneous grounds, i.e., with reference to materials not proved at the domestic enquiry, e.g., one defence witness was disbelieved because on reference to the attendance register it appeared that he was then working somewhere else, though the attendance register was not proved at the domestic enquiry nor was the defence witness given the opportunity to explain the entry in the attendance register. The Supreme Court held that such reference to extraneous material was a violation of natural justice and therefore the finding of the Enquiring Officer could be set aside by the tribunal. In another case, AIR 1964 SC 719 (Khanda and Company Ltd. v its workmen) the Supreme Court held that it was the duty of the Enquiring Officer to record clearly his conclusions and to indicate briefly the reasons for reaching the conclusions, otherwise it was difficult for the Industrial Tribunal to decide whether or not the approach of the Enquiring Officer was basically erroneous or his conclusion perverse. These decisions go to show that the tribunal's jurisdiction to interfere is not limited to cases where there is absolutely no evidence to support the finding; it extends also to a case where the approach of the Enquiring Officer appears to be basically erroneous.

8. In the present case, the omission to consider the defence of Kalicharan Kahar as contained in his statement was certainly a serious error on the part of the Enquiring Officer. There was also admission of inadmissible evidence when Nerode Gope was permitted to say that on missing the chain he questioned the loose man and the loose man replied that one loader had gone by the side of the cage through the main line; though the loose man was not examined as witness. It is true that it has been held in some cases that the evidence recorded at domestic enquiries is not restricted by all the technical rules of the Indian Evidence Act and therefore the admission of hearsay evidence may in some instances be ignored. But, apart from the admission of hearsay evidence, there appears to be some apparent improbability in the version given by Nerode Gope. Nerode Gope was pushing the loaded tubs into the cage and he had a wooden block and a piece of loose chain to help him to draw the empty tubs from the cage. In the circumstances, it is difficult to believe that a man having no duty there would come down and take away the loose chain risking being arrested red handed. Next, Nerode Gope's version is that when the chain was detected, Kalicharan threw it away; and he saw where it fell and led Doyamoy Babu to it. But Doyamoy Sircar's evidence is that when he came up and questioned Nerode and Kalicharan, Nerode said that Kalicharan had stolen a chain and Kalicharan said that he did not know anything, and Doyamoy asked where the chain was and then Nerode took both of them towards No. 2 pit upto a tank and in front of the tank Nerode took out the chain from a bush. It is difficult to believe that

if he was first detected carrying the chain, Kalicharan could have thrown away the chain into the bush near the tank close to mouth of No. 2 pit. In the circumstances, it is unsafe to find that Kalicharan was the actual thief of the chain in the absence of some corroborative evidence. It no doubt appears from Kalicharan's own statement that Nerode Gope was searching for the chain and questioned Kalicharan about the chain. But if the chain was found from the bush as described above, and not on Kalicharan's person, there would be no direct connection between Kalicharan and the chain, and it may be that Nerode Gope merely suspected that Kalicharan had taken the chain, and that he sought to strengthen the case by saying that he saw the chain in the towel which Kalicharan was carrying. Doyamoy Sircar sought to give some corroborating evidence saying that when the chain was discovered Kalicharan was making apology with folded hands. This statement however was not made by Nerode Gope who was also present there. Therefore it is difficult to accept the evidence of apology as given by Doyamoy Sircar. The third witness, Mohan Roy merely stated that he heard of the occurrence from Nerode Gope and did not himself see anything.

9. In view of the evidence discussed above, the accused should have been given the benefit of doubt. The finding that the charge was established against him cannot be accepted, as the approach of the Inquiring Officer to the evidence was erroneous. It must follow that the order of the management dismissing Kalicharan Kahar on the basis of the finding cannot also be supported.

10. I therefore find that the action of the management of Saltore Colliery in dismissing Kalicharan Kahar, Underground Loader, with effect from 17th July, 1965 was not justified, and the workman is entitled to be reinstated and I direct that he be reinstated within 15 days of the publication of the award and that he be paid an allowance during the period of unemployment from 17th July, 1965 to the date when he is reinstated at the rate of $\frac{1}{4}$ th of his total remuneration.

No order is made as to costs.

(Sd.) S. K. SEN,

Dated 6th January, 1967.

Presiding Officer.

[No. 6/8/66-LRII.]

S.O. 315.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta in the industrial dispute between the employers in relation to the Saltore Colliery, Post Office Saltore, District Burdwan, and their workmen, which was received by the Central Government on the 9th January, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, CALCUTTA

REFERENCE No. 97 OF 1966

PARTIES:

Employers in relation to the Saltore Colliery, Dt. Burdwan,

AND

Their workmen.

PRESENT:

Shri S. K. Sen—Presiding Officer.

APPEARANCES:

On behalf of employers—Shri D. Narsingh, Advocate.

On behalf of Workmen—Shri S. N. Banerjee, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/18/66-LRII dated 28th March 1966, the Central Government referred for adjudication an industrial dispute between the employers in relation to the Saltore colliery, Dt. Burdwan, and their workmen in respect of the matter mentioned in the following schedule:

“Whether the dismissal of Shri Rameswar Dusad, U.G. Loader, with effect from the 29th October, 1965 and the suspension of Shri Baldeb Dusad, U.G. Loader for 10 days with effect from 30th October, 1965, by the

management of Saltore Colliery were justified? If not, to what relief are each of the said workmen entitled?"

2. Both Rameswar Dusad and Baldeb Dusad were underground loaders employed at Saltore Colliery. According to the case of the management, Nitai Nandi, Mining Sirdar, was on duty in the night shift of 21st September 1965 and Rameswar Dusad and Baldeb Dusad were working in that shift. On 22nd September 1965 at the end of the shift they all came out from the pit. Near the coal depot at about 3-45 A.M. Rameswar and Baldeb complained to the Overman, Abdul Gafur, that Nitai Nandi did not distribute empty tubs to the loaders fairly, while Nitai Nandi said that it was not his duty to distribute empty tubs. The Overman promised to look into the matter. At about 9 A.M. when Nitai Nandi was near the hospital, Rameswar and Baldeb came up and caught hold of Nitai Nandi and asked him to go with them to the manager. Nitai Nandi refused to go at their dictation and thereupon Rameswar and Baldeb started beating Nitai Nandi with their fists and abused him in filthy language. Lakhan Singh, Depot chaprashi, and others came up and intervened. Thereafter they all went to the manager and gave their respective versions to the manager.

3. After the above incident, chargesheets were served on Rameswar Dusad and Baldeb Dusad on the same day, 22nd September 1965. They gave their replies on 24th September 1965, and denied that they had either abused or assaulted the Mining Sirdar, Nitai Nandi, and complained that Nitai Nandi discriminated against them in the matter of distribution of empty tubs in the night shift of 21st September 1965 and that they had complained to the manager about the matter and the manager had asked the Assistant Manager, Shri Chowdhury, to enquire, and in the circumstances it was unfair that action should be taken against them and not also against the Mining Sirdar.

4. The reply was naturally not considered satisfactory and therefore the two workmen were notified of an enquiry to be held on 14th September 1965, and the enquiry was actually held on that day by Shri B. K. Ghose, Labour Officer, Saltore Colliery. In his report, B. K. Ghose, recorded the finding that the charges were proved against both Rameswar Dusad and Baldeb Dusad, and he recommended a graver punishment for Rameswar Dusad as there was a previous punishment in his record. The manager thereupon passed an order of suspension for 10 days from 30th October 1965 on Baldeb Dusad and with the approval of the agent, he passed an order of dismissal on Rameswar Dusad on 29th October 1965.

5. In the written statement filed on behalf of the workmen by the union, it is stated that on 21st September 1965 Nitai Nandi discriminated in the matter of distribution empty tubs against Rameswar Dusad and Baldeb Dusad and other machine loaders of their gang and that they complained to the Manager on 22nd September 1965 after the end of their shift, and that in order to save himself, Nitai Nandi had brought a false charge of abuse and assault against them; and the management had thereupon served chargesheets on the two workmen because the management was anxious to avail of the opportunity to get rid of them, as they were members of a union not recognised by the management, viz. the Colliery Mazdoor Congress (I.L.M.S.). The Union asserted that the domestic enquiry held by the Labour Welfare Officer was a partisan enquiry and not a fair one. Further the union asserted that the two workmen are entitled to reinstatement because in a criminal case under Sec. 323 IPC started by Nitai Nandi against the two workmen, both the workmen had been acquitted by the Magistrate who held the trial.

6. There is a preliminary objection by the management that the dispute is an individual dispute. There is however the evidence of Rameswar Dusad who deposed as the only witness for the workmen that he is a member of the Colliery Mazdoor Congress and has been so far some years, and that the reply to the charge-sheet was written for him as also for Baldeb Dusad by Suraj N. Pandey, Pump Khalasi who is the Secretary of the branch of the Union at Saltore Colliery. This evidence is challenged by the management pointing out that no document has been brought to show that the two workmen had become members of the Union before they were punished as the result of the domestic enquiry. But, in any case there is the oral evidence of Rameswar Dusad on the point and there is no evidence to the contrary given by B. K. Ghose, the only witness examined by the management. In the circumstances, the preliminary objection must fail.

7. On the merits, Shri S. N. Banerjee has relied largely on the fact that the two workmen have been found not guilty by a Magistrate of the charge under Section 323 IPC on the same facts, vide Ext. A the certified copy of the judgement which was delivered on 28th March, 1966. Shri Banerjee has urged that because of this acquittal by the Magistrate, the two workmen are entitled to reinstatement. In support of his contention, Shri Banerjee has referred to certain decisions. In 1961, 2 FLR 459 (Radhakrishna Mills Limited V Labour Court), it was held

by a judge of the Madras High Court that in the case of an acquittal of the employee by a criminal court the management must accept the decision, and an order of dismissal in the face of the judgement of acquittal by the criminal court would enable the bonafides of the management to be questioned. In that case however, no final order was passed in the domestic enquiry by the management before the order of acquittal was passed by the court. The question whether an employee is entitled to reinstatement as the result of a subsequent order of acquittal did not have to be considered in the above case. In 1964, 9 FLR 1 (Bombay Steel Rolling Mills V Labour Union) where by a settlement between the union and the management the chargesheeted workmen were kept under suspension pending the final disposal of the criminal cases against them, it was held by the Supreme Court that on their acquittal in the criminal cases the workmen were entitled to reinstatement on the basis of the settlement, and that even apart from settlement there would be a good case for their claim for reinstatement as soon as they were acquitted. In that case however, by "reinstatement" the Supreme Court was only referring to reinstatement from the suspension order; the domestic enquiries were all kept pending by the agreement between the union and the management and in the meantime the workmen were merely under suspension. In this case also the result of a subsequent order of acquittal by a criminal court after an order of dismissal had been passed by the management on the basis of a domestic enquiry, was not considered. In 1966 ILLJ 730 (Workmen of U.P. State Electricity Board V. Upper Ganges Valley Electric Supply Company), there was no domestic enquiry at all held by the management, but the management dismissed a workman when he was convicted by the criminal court. From the decision of the criminal court however there was an appeal admitted and he was released on bail, and then he applied for reinstatement, but the management did not take him back at that stage or even when he was finally acquitted in appeal. The Supreme Court held that the Company should either have terminated the services of the employee after a domestic enquiry or if they relied on the order of the criminal court only, they should have taken in him back as soon as he was allowed bail by the Appellate Court, because as soon as the appeal was admitted, the judgment of the lower court was reopened and there was no final judgment of conviction against the employee. It is clear that this case also is no authority for the proposition advanced by Shri Banerjee, namely that even when a workman has been dismissed as the result of a domestic enquiry, he must be taken back if thereafter the criminal court on the same facts finds the employee not guilty. On the other hand, there is a decision laying down the opposite proposition namely, 1961 I LLJ 520 (Delhi Cloth and General Mills Ltd. Vs. Kusalbhan). It was observed there that it could not be said that the principles of natural justice would require that the employer must await the decision of the criminal court when a workman is chargesheeted for mis-conduct and is also prosecuted in a criminal court; and because there has been a subsequent acquittal by the criminal court, the tribunal is not entitled to withhold approval to an order of dismissal passed on the basis of domestic enquiry. This case arose from an application under Sec. 33(2)(b) of the Industrial Disputes Act, but it is clear from the above that subsequent acquittal by the criminal court is no ground for reinstating a workman who has been dismissed as the result of a domestic enquiry before the disposal of the criminal case by the court.

8. Accordingly, I cannot accept the contention of Shri Banerjee that because of the subsequent order of acquittal by the Magistrate, Rameswar Dusad is automatically entitled to reinstatement and that the order of suspension passed on Baldeb Dusad also must be set aside.

9. Shri Banerjee has next urged that the domestic enquiry was not fair because it was not B. K. Ghose, the Labour Welfare Officer but on Shri Saran, a personnel officer of Sijua, who conducted the enquiry, and because although B. K. Ghose who claimed to be the Enquiring Officer admitted that he put certain questions to clarify the narratives given by the witnesses and put certain questions to the accused, the questions were not recorded. Rameswar Dusad who deposed for the workmen no doubt stated that Saran Sahib and not Ghose Sahib held the enquiry, but the enquiry record, Ext. 4, is entirely in the handwriting of B. K. Ghose and signed by him, and the report of the enquiry, Ext. 3, was also submitted by B. K. Ghose. B. K. Ghose stated that Shri Saran, Personnel Officer of Sijua, happened to come to Saltore on the day on which the enquiry was held and he was present in the room of the Labour Officer from some time after the enquiry had started, but he did not take an active part in the enquiry. It may be that Shri Saran had assisted B. K. Ghose to a certain extent in holding the enquiry, though B. K. Ghose does not say so, and this gave impression to Rameswar Dusad that Saran Sahib held the enquiry; that does not however make Sri Saran the Enquiring Officer. The enquiry was conducted by B. K. Ghose who proved the enquiry report and there is nothing to show that he was influenced in any way by any opinion given by Shri Saran. There is nothing therefore in this contention of Shri Banerjee.

10. As regards the point that questions were not recorded but the statements were recorded in narrative form, I do not agree that this constitutes any defect. In the courts except in the High Court, the evidence is always recorded in a narrative form. It is true that in the criminal courts the statement of the accused is recorded in the form of questions and answer, and B. K. Ghose did not record the statements of the two workmen proceeded against in the form of questions and answers; but he stated that the only question he asked them was what they had to say in addition to the reply to the chargesheet which they had submitted, and each of the workmen merely stated that he confirmed what he had stated in the reply to the chargesheet and had nothing more to say. In the circumstances, it cannot be said that any prejudice was caused by the Enquiring Officer omitting to record the questions which he put to the workmen proceeded against. From the record of the evidence taken at the domestic enquiry, it appears that Rameswar Dusad asked certain questions in cross examination of the witnesses for the management, though Baldeb did not cross examine any witness. It also appears that 3 witnesses were examined for defence, namely Rameswar Sahoo, S. N. Pandey, the Pump Khalasi who has been described as the Secretary of the branch of the union at Saitore colliery, and Basdeo Saw. Their evidence was that there had been merely an altercation between Nitai Nandi on the one side and the two workmen on the other over the alleged unfair distribution of tubs and that there was no assault by either Rameswar or Baldeb on Nitai Nandi. But 4 out of the 5 witnesses for the management proved the assault, and one witness, the attendance clerk, was examined to prove that it was possible for Rameswar Dusad to have the cap lamp still with him even after the workman had come out of the pit at the end of his shift, because the case against the workman was that after the manual assault, Rameswar Dusad was about to strike Nitai Nandi with his cap lamp when Lakhon Singh caught hold of the cap lamp and thus prevented further assault. The Enquiring Officer after summarising the evidence of both sides accepted the case for the management. He no doubt made a reference in passing to what he had learnt as the result of a personal enquiry, and there can be no doubt that this reference to the personal enquiry should not have been made at all. But the Enquiring Officer also stated that he found no reason to disbelieve the version of the management's witnesses; and after scrutinising the evidence and in view of the fact that Nitai Nandi actually had some physical injury for which he was examined by a doctor on the same day, I find no reason to hold that the conclusion of the Enquiring Officer was erroneous in any way. The enquiry must, therefore, be held to have been fairly conducted. The argument that there was discrimination as Rameswar was dismissed and Baldeb only suspended for ten days, has no force because Rameswar had a record of a previous punishment while Baldeb had a clear record.

11. Accordingly, I find that the dismissal of Shri Rameswar Dusad, U.G. loader with effect from 29th October 1965 and suspension of Baldeb Dusad, U.G. loader for 10 days from 30th October 1965, were justified and the workmen, therefore, are not entitled to any relief.

Parties will bear their own costs.

Dated, 5th January 1967.

(Sd.) S. K. SEN, Presiding Officer.

[No. 8/18/66-LRII.]

New Delhi, the 17th January 1967

S.O. 316.--In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the East Kumardhubi Colliery, Post Office Chirkunda, District Dhanbad, and their workmen, which was received by the Central Government on the 4th January, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of an industrial dispute under section 10(1)(d) of The Industrial Disputes Act, 1947.

REFERENCE NO. 164 OF 1965

Employers in relation to M/s, East Kumardhubi Colliery, P.O. Chirkunda,
Dist. Dhanbad.

Versus

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, Presiding Officer.

For the Employers—None.

For the Workmen—None.

STATE: Bihar.

INDUSTRY: Coal.

CAMP : C-21, Hauz Khas, New Delhi-16

Dated, the 21st December 1966

AWARD

By its order No. 2/73/65-LR-II, dated 11th October, 1965, the Government of India, Ministry of Labour and Employment referred under Section 10(1)(d) of The Industrial Disputes Act, 1947, to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the East Kumardhubi Colliery, P.O. Chirkunda, (Dhanbad), and their workmen in respect of the matters specified in the schedule annexed to the order of reference which is reproduced below:

SCHEDULE

"Whether the dismissal of Shri Rajendra Jha, Attendance Clerk of East Kumardhubi Colliery of M/s. Shree Lakshmi Narain Trust (Post Box No. 45, P.O. Jharua, Dhanbad), with effect from the 23rd November, 1964 was justified? If not, to what relief is the workman entitled?"

2. On 16th December 1966 by registered post a joint settlement was received at Dhanbad wherein the terms were mentioned which was forwarded at Delhi to the Tribunal which was on tour to Delhi where it was received on 21st December, 1966 on which date the award is being made.

3. According to the joint petition the settlement is signed by all the representative of the workmen and all the representatives of the employees and also witnessed by two witnesses and according to the said settlement the management agreed to provide employment to Sri Rajendra Jha, Attendance Clerk, the concerned workman, treating the period intervening between the date of his dismissal to the date of his joining employment as leave without pay only for the limited purpose to avoid any break in service and the other conditions were also mentioned therein.

In accordance with the said joint petition of compromise, therefore, this reference is disposed of and an award is made and the said compromise which is marked Annexure 'A', is made a part of the award.

5. This is the award which I make and submit to the Central Government under Section 15 of the Act.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer.

ANNEXURE 'A'**FORM 'H'**

(See Rule 58)

*Form for Memorandum of Settlement***Name of the Parties****1. Representing Employers—**

- (i) Shri R. C. Patel, Trustee & Nominated Owner.
- (ii) Shri D. N. Sharan, Manager.

2. Representing the Workman—

- (i) Shri R. N. Sharma, M.L.A., Vice-President, Colliery Mazdoor Sangh.
- (ii) Shri Raghubar Prasad, Vice President, Colliery Mazdoor Sangh.
- (iii) Shri B. N. Sharma, Vice-President, C.M.S., East Kumardhubi Colly. Branch.
- (iv) Shri Mahendra Jha, Asstt. Secretary, C.M.S., East Kumardhubi Colly. Branch.

Short Recall

The undermentioned workman had been dismissed for various misconducts by the management on the date mentioned against his name:—

1. Shri Rajendra Jha, Clerk—on 23rd November 1964.

2. An industrial dispute was raised by the Colliery Mazdoor Sangh which could neither be settled through negotiation nor during conciliation proceedings. Eventually, the dispute was referred by the Central Government for adjudication by the Central Government Industrial Tribunal, Dhanbad, as per the Notification and Schedule cited below:—

S.O. No. 3247, dt. 11th October, 1965

SCHEDULE

Whether the dismissal of Shri Rajendra Jha, Attendance Clerk of East Kumardhubi Colliery of M/s. Shree Lakshmi Narayan Trust with effect from the 23rd November, 1964 was justified? If not, to what relief is the workman entitled?

3. During the period when the dispute was pending in adjudication, discussions on several occasions were held between the management and the Sangh for purposes of mutually finding out a solution so that the climate of industrial relations at East Kumardhubi Colliery could be further improved. As a result of these discussions, an amicable settlement was eventually reached on the following terms.

Terms of Settlement

1. The management agrees to provide employment to Shri Rajendra Jha, as Attendance Clerk.

2. The intervening period between the date of dismissal to the date of his joining employment will be treated as leave without pay only for the limited purpose viz. to avoid any break in service.

3. The Union hereby unreservedly assures the Management that they will guarantee disciplined behaviour from their members.

4. The Management and the Union shall jointly forward copies of this bipartite settlement to all the authorities prescribed in Rule 58 of the Industrial Disputes (Central) Rules, 1957. They shall also jointly file a copy of this settlement before the Presiding Officer, Central Government Industrial Tribunal, Dhanbad, with the request that the said Tribunal would kindly pass an award in terms of the settlement.

5. The Management and the Union shall continue to take all possible steps for consolidating and improving the industrial relations at East Kumardhubi Colliery.

Signatures-

For the Workman

(Sd.) R. N. SHARMA,
Vice-President
Colliery Mazdoor Sangh.

(Sd.) RAGHUBAR PRASAD,
Vice-President, C.M.S.

(Sd.) B. N. SHARMA,
Vice-President,
Colliery Mazdoor Sangh,
East Kumardhubi Colly. Branch.

(Sd.) MAHENDRA JHA,
Asstt. Secretary, C.M.S.
E. Kumardhubi Colly. Branch.

For the Employers

(Sd.) R. C. PATEL,
Trustee & Nominated Owner,
East Kumardhubi Colliery.

(Sd.) D. N. SHARAN,
Manager,
East Kumardhubi Colliery.

Witnesses:

(1) (Sd.) Illegible

(2) (Sd.) Illegible.

Dated, November 17, 1966.

[No. 2/73/65-J.R.II.]

S.O. 317.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, No. 2, Calcutta in the industrial dispute between the employers in relation to the Saltore Colliery of Messrs. Bird & Company Limited, (Post Office Sijua, Dhanbad), and their workmen, which was received by the Central Government on the 9th January, 1967.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2. CALCUTTA

PARTIES:

Employers in relation to the Saltore Colliery of M/s. Bird and Company Limited,

AND

Their workmen.

PRESENT:

Shri S. K. Sen, Presiding Officer.

APPEARANCES:

On behalf of employers—Shri D. Narsingh, Advocate.

On behalf of Workmen—Shri S. N. Banerjee, Advocate.

STATE: Bihar.

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/85/65-LRII, dated 2nd July, 1965 the Central Government referred for adjudication an industrial dispute between the employers in relation to the Saltore Colliery of Messrs Bird and Company Limited, Distt. Dhanbad, and their workmen in respect of the matter specified in the following schedule:

“Whether the stoppage of work of Shri Sito Das, Loader's Sirdar of Saltore Colliery, with effect from 3rd December, 1964, was justified? If not, to what relief is the workman entitled?”

2. Sito Das was employed as a loader's Sirdar at Saltore Colliery and put in more than 15 years' service. He was first engaged as a loader and after 5 or 6 years work as such he was appointed as loader's Sirdar. In 1963 Sito Das had an attack of tuberculosis of the lungs and was sent to the Searsole T.B. Clinic for treatment. He was treated as an outdoor patient. After he had undergone treatment for some months, the medical officer of Searsole T.B. Clinic examined him on 15th June, 1964 regarding his fitness to resume work and reported that he was fit to resume light duty with effect from 16th June, 1964. As a loader's Sirdar has to work as a loader himself as well as to supervise the work of other loaders of his gang, a loader's Sirdar's duty was not considered as a light duty by the manager and the manager was hesitant about allowing him to resume his normal duty. During the period of his treatment at Searsole T.B. Clinic the management had permitted him to draw his Sirdari commission coming to about Rs. 5 per week and the management continued to allow him to draw that commission even from 16th June, 1964 but did not allow him to join his draw that commission. On 1st December, 1964 the manager of Saltore Colliery wrote again to the Medical Officer-in-Charge of the T.B. Clinic at Searsole, referring to the earlier opinion given by the Medical Officer and asking him to examine Sito Das again and report whether he had become fit for resuming his duty as Loader's Sirdar. The Medical Officer on 3rd December, 1964 made an endorsement on the letter of the Manager (Marked Ext. B) as follows, “Yes, he can work as Loader Sirdar”. The manager, Saltore Colliery thereupon reported the opinion of the Medical Officer to the Labour Adviser at Sijua, Head Office of Barakar Coal Company which owns Saltore Colliery and other collieries. The opinion of the Labour Adviser of Sijua has not been proved before the Tribunal but it must have been adverse, as the manager did not permit ‘Sito’ to resume duty as loader Sirdar but continued to allow him to draw his Sirdari commission of about Rs. 5 per week. On 22nd April, 1965, the General Secretary of the Union Colliery Mazdoor Congress, sent a complaint to the Conciliation Officer, Central, Asansol, that though he had been declared fit for duty as loader's Sirdar by the Medical Officer, Searsole, the manager had not permitted him to resume his duty as such. No amicable settlement was effected before the Conciliation Officer, Asansol and so the matter is now before the Tribunal.

3. The employers have raised the preliminary objection that the dispute is an individual dispute because at the time when the cause of action arose Sito Das

was not a member of the union, the Colliery Mazdoor Congress, and that therefore, the reference to the Tribunal is bad. On the merits, the defence of the employers is that loader's Sirdar has to work both as a loader and as supervisor of the work of other loaders of his gang, and that work of a loader is heavy work and that the Medical Officer did not declare him fit to work as loader and that, therefore, the management did not permit him to resume his duty as loader's Sirdar. The management further avers that all along the management paid Sirdar's commission to Sito Das even when he was actively suffering from T.B. and was undergoing treatment at Searsole T.B. Clinic and that even now Sito Das has been enjoying that benefit and that, therefore, Sito Das does not deserve any relief in the present reference case.

4. As regards the preliminary objection, no evidence has been adduced by the union to show that Sito Das became a member of the union before or by 3rd December, 1964 which is the relevant date in this reference case. But, apart from the statement of the objection in the written statement, the employers have adduced no evidence to the effect that Sito Das was not a member of the Colliery Mazdoor Congress by or before 3rd December, 1964. Shri S. N. Banerjee appearing for the union has urged that the onus is on the party which takes the preliminary objection to substantiate it, and in this connection he has referred to a decision of the Allahabad High Court, 1966 LLJ II 839 (Workmen of Aligarh Electric Supply Company v. Aligarh Electric Supply Company) where it was held that when the State Government has come to the conclusion that there is an industrial dispute and has referred it for adjudication, *prima facie* there is an industrial dispute, and it is for the party which challenges this to prove the facts necessary for substantiating the challenge. Shri D. Narsingh appearing for the management has urged that it is within the knowledge of Sito Das when he became a member of the union and that in the circumstances he ought to have given evidence on the point. It is true that it is within the knowledge of Sito Das when, if at all, he became a member of the Colliery Mazdoor Congress, but the management could also have given some evidence on the point by producing some workmen of Saltore Colliery who are interested in unions. The management has made no effort to do so. I must accept the contention of Shri S. N. Banerjee that the burden of proof in this respect was on the management and in the absence of evidence from either side on the point, it must be held that the preliminary objection has not been substantiated.

5. As to the facts of the case, there is no dispute. The Medical Officer-in-Charge of Searsole T.B. Clinic has not been examined as a witness, but the two opinions given by him as contained in the documents have been marked on admission. Ext. A, the letter dated 20th June, 1964 from the Manager Saltore Colliery to the Labour Adviser, Sijua quotes the first opinion of the Medical Officer of Searsole T.B. Clinic given on 15th June, 1964, viz., "Sito Das is fit to resume light duty with effect from 16th June, 1964". The second opinion given by the Medical Officer of Searsole T.B. Clinic appears as an endorsement in Ext. B, the manager's letter to the Medical Officer dated 1st December, 1964 and this opinion dated 3rd December, 1964 is that Sito Das can work as 'Loader Sirdar'. The management examined the Medical Officer of Saltore Colliery, Dr. Bimalendu Mazumdar. He stated that when a machine loader after an attack of T.B. has been declared by the T.B. Specialist as fit to resume his normal duty, he is allowed to join as a loader and to work underground; but if the T.B. Specialist certifies that the patient is fit for light duty only, he is not allowed to go underground and do heavy duty like that of a loader. He further stated that he remembered that Sito Das was declared fit to resume light duty and that Sito Das never produced any certificate from the Specialist of the T.B. Clinic, Searsole that he was fit for his normal duty. He was shown the endorsement of the Medical Officer on the manager's letter, Ext. B, but he stated that this was never shown to him and he was never consulted after the date of the letter, Ext. B, in connection with the re-employment of Sito Das in his normal duty. He admitted in cross-examination that the T.B. Specialist of Searsole T.B. Clinic would know the nature of the jobs of different categories of miners. In view of this evidence it must be held that when the specialist or the Medical Officer-in-Charge of the T.B. Clinic at Searsole gave the opinion that Sito Das could work as a loader Sirdar, he knew that the work of the loader Sirdar involved work as a loader as well as work of supervision and that Sito Das was fit for both kinds of work. In the circumstances, the action of the management in refusing to allow him to resume his full work cannot be held to be justified and Sito Das must be allowed now to resume his full duty as a loader's Sirdar.

6. As to the quantum of interim relief from 3rd December, 1964, until the date when he is permitted to resume his full duty, it has to be remembered that

all along SITO Das has been allowed by the management to draw his Sirdari commission coming to about Rs. 5 per week. SITO Das stated that before he got the attack of T.B., if there was full work done by his gang, he used to get Rs. 32 or Rs. 33 per week. This figure would naturally include the Sirdari commission. But another loader's Sirdar, MISRI Das, witness No. 2 on behalf of the union, stated that he was receiving only Rs. 18 or Rs. 19 per week. Thus the additional remuneration which SITO Das might have received if he was allowed to resume his full work would be only about Rs. 13 or Rs. 14 per week. It would meet the ends of justice, therefore, if it is ordered that the management should pay him additional remuneration at half this rate, that is Rs. 7 per week from 3rd December, 1964 until he is permitted to resume his full duty.

7. I therefore decide that the stoppage of work of Shri SITO Das, Loader's Sirdar of Saltore Colliery, with effect from 3rd December, 1964, was not justified and that the management must allow him to resume his full duty as 'Loader's Sirdar' within a fortnight of the publication of this award; and the management should further pay him remuneration at the rate of Rs. 7 per week from 3rd December, 1964, until the date when he resumes his full duty as 'Loader's Sirdar' in addition to the Sardari commission.

No order is made as to costs.
Dated, the 5th January, 1967.

(Sd.) S. K. SEN,
Presiding Officer.
[No. 6/85/65-LRII.]

S.O. 318.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Messrs East Kumardhubi Colliery of Messrs K. Worah & Company, Private Limited, Post Office Chirkunda, District Dhanbad, and their workmen, which was received by the Central Government on the 3rd January, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT DHANBAD

In the matter of an industrial dispute under Section 10(1)(d) of The Industrial Disputes Act, 1947.

REFERENCE No. 165 of 1965.

Employers in relation to M/s. East Kumardhubi Colliery of M/s. K. Worah & Co. (P) Ltd., P.O. Chirkunda (Dhanbad)

Versus

Their Workmen.

PRESENT:

Shri Raj Kishore Prasad, Presiding Officer.

For the Employer: None.

For the Workmen: None.

STATE: Bihar

INDUSTRY: Coal.

Camp: C-21, Hauz Khas, New Delhi-16

Dated, the 21st December, 1966

AWARD

By its Order No. 2/57/65-LR.II dated 18th October 1965 the Government of India, Ministry of Labour and Employment, referred to this Tribunal for adjudication under Section 10(1)(d) of The Industrial Disputes Act, 1947, an industrial dispute existing between the employers in relation to M/s. East Kumardhubi Colliery of M/s. K. Worah & Co., Private Ltd., P.O. Chirkunda, District Dhanbad and their workmen in respect of the matters specified in the schedule annexed to the order of reference which is reproduced below:

SCHEDULE

"Whether the stoppage of Shri GRIJA Thakur, Surface Trammer, from work with effect from the 29th October, 1964 and his subsequent dismissal from service with effect from the 12th December 1964 by the management of M/s. East Kumardhubi Colliery of M/s. K. Worah & Co. Private Ltd., P.O. Chirkunda, Dist. Dhanbad was an act of victimisation? If so, to what relief is the workman entitled?"

2. On 16th December 1966 by registered post a bi-partite settlement of industrial dispute in question between the parties to the reference was received by the Tribunal at Dhanbad which was received on being re-directed from Dhanbad at Delhi where the Tribunal is on tour on 21st December 1966 on which date this award is being made.

3. According to this joint application signed by all the representatives of the workmen and also by the representatives of the employers and witnessed also by two witnesses the workman concerned Shri Girija Thakur was taken back as a Badli trammer and the other conditions are laid down in the said agreement.

4. Accordingly this reference is disposed of in terms of the said agreement, marked Annexure 'A', and award is made and the said joint settlement marked Annexure 'A' is made a part of the award.

5. This is the award which I make and submit to the Central Government under Section 15 of the Act.

RAJ KISHORE PRASAD,
Presiding Officer.

ANNEXURE 'A'

FORM 'H'

(See Rule 58)

Form for Memorandum of Settlement

Name of Parties—

(1) Representing Employers—

1. Sri R. C. Patel, Trustee & Nominated Owner, East Kumardhubi Colliery.
2. Sri D. N. Sharan, Manager, Trustee & Nominated Owner, East Kumardhubi Colliery.

(2) Representing the Workman—

1. Sri R. N. Sharma, M.L.A., Vice-President, Colliery Mazdoor Sangh.
2. Sri Raghubar Prasad, Vice President, C.M.S.
3. Sri B. N. Sharma, Vice President, C.M.S. East Kumardhubi Colliery Branch.
4. Sri Mahendra Jha, Asstt. Secretary, C.M.S.; East Kumardhubi Colliery:

Short Recital

Shri Girija Thakur, Badli Trammer had been dismissed (i.e. removed from the Badli Roll) by the management as from the 12th December, 1964.

2. An industrial dispute was raised by the Colliery Mazdoor Sangh which could neither be settled through negotiation nor during conciliation proceedings. Eventually the dispute was referred by the Central Government for adjudication by the Central Government Industrial Tribunal, Dhanbad, as per the Notification as Schedule cited hereunder:—

S.O. No. 3301 dt. 13th October, 1965:

SCHEDULE

Whether the stoppage of Shri Girija Thakur, Surface Trammer, from work with effect from 20th October 1964 and his subsequent dismissal from service with effect from 12th December 1964 by the management of M/s. East Kumardhubi Colliery of M/s. K. Worah & Co. Private Ltd., P.O. Chirkunda, District Dhanbad was an act of victimisation. If so, to what relief is the workman entitled?

3. During the period when the dispute had been pending in adjudication, discussions on several occasions were held between the management and the Sangh for purposes of mutually finding out a solution so that the climate of industrial relations at East Kumardhubi Colliery could be further improved. As a result of these discussions, an amicable settlement was eventually reached on the following terms:—

Terms of Settlement

1. Management agrees to take back Shri Girija Thakur as a Badli Trammer.
2. The Union hereby unreservedly assures the Management that they will guarantee disciplined behaviour from their members.

3. The Management and the Union shall jointly forward copies of this bi-partite settlement to all the authorities prescribed in Rules 58 of the Industrial Disputes (Central) Rules, 1957. They shall also jointly file a copy of this settlement before the Presiding Officer, Central Government Industrial Tribunal, Dhanbad, with the request that the said Tribunal would kindly pass an award in terms of the Settlement.

4. The Management and the Union shall continue to take all possible steps for consolidating and improving the industrial relations at East Kumardhubi Colliery.

Signatures—

For the Workman—

Sd/- R. N. SHARMA,
Vice-President,
Colliery Mazdoor Sangh.
Sd/- RAGHUBAR PRASAD,
Vice-President,
Colliery Mazdoor Sangh.
Sd/- B. N. SHARMA,
Vice-President,
Colliery Mazdoor Sangh,
East Kumardhubi Colliery Branch.
Sd/- MAHENDRA JHA,
Asstt. Secretary, C.M.S.,
East Kumardhubi Colliery Branch.

For the Employers—

Sd/- R. C. PATEL,
Trustee & Nominated Owner,
East Kumardhubi Colliery.
Sd/- D. N. SHARAN,
Manager,
East Kumardhubi Colliery.

Witness: 1. Sd/- Illegible.
2. Sd/- Illegible.

Dated November 17th, 1966.

[No. 2/57/65-LRII.]

New Delhi, the 20th January 1967

S.O. 319.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Hyderabad in the matter of application under Section 33A of the said Act from Shri Kalavala Posham, Filler, Singareni Collieries Company Limited, Mandamari Division, Post Office Kalyan Khani, Andhra Pradesh, which was received by the Central Government on the 6th January, 1967.

BEFORE THE INDUSTRIAL TRIBUNAL, ANDHRA PRADESH, HYDERABAD.

PRESENT:

Sri Mohammad Najmuddin, M.A., B.L., Chairman, Industrial Tribunal, Andhra Pradesh, Hyderabad.

MISCELLANEOUS PETITION No. 202/1966

IN

INDUSTRIAL DISPUTE NOS. 25/65 & 2/66.

BETWEEN:

Kalavala Posham, Filler, Kalyan Khani, No. 5 Incline, Mandamari Division.

AND

The Management of Singareni Collieries Company Ltd., Mandamari Division, P.O. Kalyan Khani.

APPEARANCES:

Sri V. Jagannadha Rao—*for the Complainant.*

Sri M. Shyam Mohan, Personnel Officer—*for the Opposite Party.*

AWARD

The petition under consideration is under Section 33A of the Industrial Disputes Act. The petitioner, Kalavala Posham, was an employee of the Respondent Company as filler at Kalyan Khani No. 5 Incline in the Mandamari Division of the Singareni Collieries Company Limited. He was charge-sheeted for beating one D. Narayana, Surveyor, at about 2-30 P.M. on 27th February 1966. That incident

was on the verandah of the office of the pit head in question. In the domestic enquiry that followed 5 witnesses were examined for the Management including the victim who was assaulted, and 10 for the charged workman. By his report dated 16th June 1966 the enquiry officer reported that the charge was proved. Thereupon the Management dismissed Posham from service by order dated 21st June 1966 to be effective from 24th July. Doing so, the Management paid him one month's wage and then came to this Tribunal and filed petition under Section 33(2)(b) of the I.D. Act, for approval of the action taken. That petition is M.P. No. 187/66. That petition was filed because I.D. Nos. 25/65 and 2/66 are pending in this Tribunal. The issues in both those industrial disputes are in respect of profit sharing bonus. Posham was thus concerned with those disputes. Posham filed counter in that petition to say that the domestic enquiry was not fair and proper, that he was a protected workman and that for the reason that the Management had contravened the provisions of Sec. 33 of the I.D. Act he had filed his own petition under Section 33A.

2. The petition under consideration is the one which Posham filed under Sec. 33A. In this petition the petitioner states that he is a member of the executive committee of the Tandur Coal Mines Labour Union, that he is a protected workman, and that while he was engaged in legitimate activity of collecting membership subscriptions Narayana the surveyor had caused obstruction and had thus wilfully created confusion. It is alleged that Narayana had done that so as to create conditions which may result in a charge sheet and a domestic enquiry. It is complained that the Management had committed breach of provisions of Section 33. It is stated that the dismissal was wrongful and was an instance of victimisation. It is therefore prayed that reinstatement may be ordered with backwages. The counter of the Management is that there was no contravention of the provisions of Section 33 and that the domestic enquiry was fair and in accordance with the principles of natural justice. Referring to the claim that Posham was a protected workman, the counter of the Management is that he was not so at the time he was dismissed from service, that being by order dated 21st July 1966, the dismissal being effective from 24th July.

3. The case for the Management was presented by Mr. Shyam Mohan the Personnel Officer, and the case for the workmen was presented by Mr. V. Jagannadharao. Just now I passed order in M.P. 187/66 which is under Sec. 33(2)(b) of the I.D. Act. Therein I held that Posham was a protected workman at the time he was dismissed and that therefore the Management should have sought permission before dismissing him instead of first dismissing him and then coming here for approval of the action taken. By reason of that finding I refused to grant the approval prayed for in M.P. 187/66. Now remains to consider M.P. No. 202/66, the one under consideration, it being under Sec. 33A of the I.D. Act. Dismissing a protected workman without first seeking permission therefor would no doubt be violative of the provisions of Section 33 of the Act. But the question is if for that reason I should direct reinstatement of Posham with retrospective effect with the attendant restoration of back wages and benefits. My answer to this question is in the negative. In *Punjab National Bank v. Their Workmen* [1959 (II) LLJ.666]. Their Lordships of the Supreme Court held that even though an employee succeeds in establishing that the employer had contravened any provision of Section 33 of the Act, he would not be entitled to an order of reinstatement if the dismissal of the employee was justified on merits. The High Court at Calcutta had observed similarly in a recent case, *Ramachander Pal v. Titagarh Paper Mills* (28 F.J.R. 294). In the instant case I had, in my order in M.P. 187/66 which is under Sec. 33(2)(b), held that Kalavala Posham was guilty of misconduct by reason of assaulting D. Narayana, Surveyor, and that he had merited dismissal therefor. Such being my finding on merits, it would, following the decisions referred to above, follow that any relief cannot be granted to Posham by way of reinstatement so far as concerns his petition under Section 33A. For that reason this petition which is under Section 33A is rejected.

AWARD passed accordingly.

Given under my hand and the seal of the Tribunal, this the 29th day of December, 1966

M. NAJMUDDIN,
Industrial Tribunal
[No. D. 151/67-LRII.]

(Department of Labour and Rehabilitation)

ORDERS

New Delhi, the 17th January 1967

S.O. 320.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Mehtad Colliery

Company, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the action of the management of Khas Mehtadih Colliery of Messrs. Khas Mehtadih Colliery Company, Post Office Katrasgarh, District Dhanbad, in retrenching the workmen detailed below with effect from the 10th November, 1966 was justified?

1. Shri Kedar Gope.
2. Shri Sumiran Gope.
3. Shri Ram Janam Gope.
4. Shri Maniruddin Mia.
5. Shri Shridharl Gope.
6. Shri Juman Mia.
7. Shri Chetan Mahato.
8. Shri Raghunath Gope.
9. Shri Chandrika Napit.
10. Sri Fulchand Hazam.
11. Shri Tapan Das.

If not, to what relief are the workmen entitled?

[No. 2(175)/66-LRII.]

New Delhi, the 19th January 1967

S.O. 321.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Joyrampur Colliery, Post Office Khas Jeenagera, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Khas Joyrampur Colliery of Messrs Khas Joyrampur Colliery Company, (Private) Limited, was justified in retrenching the following workmen with effect from the 13th August, 1966.

Sl. No.	Name of the worker	Designation
1.	Sri Sheo Pujan Chamar	II. Khalasi.
2.	„ Parmeshwar	Tigger Khalasi.
3.	„ Chandrama Singh	H. Khalasi.
4.	„ Gauri Shankar	—do—
5.	„ Ram Adhar Singh	—do—
6.	„ Barho Beldar	Pump Khalasi.
7.	„ Girija Nandan Jha	—do—
8.	„ Nageswar Singh	—do—
9.	„ Ram Adhar	—do—

Sl. No.	Name of the worker	Designation.
10.	„ Guni Gope	Pump Khalast.
11.	„ Faudar Singh	—do—
12.	„ Kauldeo Singh	—do—
13.	„ Amaldeo Rai	—do—
14.	„ Basdeo Paswan	—do—
15.	„ Radha Raman Singh	—do—
16.	„ Dudh Nath Singh	—do—
17.	„ Ramdeo Tewari	—do—
18.	„ Shyamapado Chakraverty	—do—
19.	„ Ch. Nirsu Narayan Singh	—do—
20.	„ Prabhu Nath	—do—
21.	„ Sawalu Singh	—do—
22.	„ Baliram Das	—do—
23.	„ Ram Newaji Gope	—do—
24.	„ Prasuram Singh	—do—
25.	„ Dhanesh Pd. Kurmi	—do—
26.	„ Ram Nath Singh	—do—
27.	„ Sukhdeo	—do—

If not, to what relief are the workmen entitled?

[No. 2(188)/66-LRIL.]

S.O. 322.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kenduadih Colliery, Huriladih Coal Company, Limited, Post Office Bhaga, District Dhanbad, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the action of the management of Kenduadih Colliery belonging to Messrs Huriladih Coal Company, Limited, Post Office Bhaga (Dhanbad) in closing the colliery with effect from the 24th October, 1966, was justified?
2. If so, whether they are justified in offering compensation to the affected workmen under Section 25 FFF of the Industrial Disputes Act, 1947 (14 of 1947)?
3. What relief are the workmen entitled to?

[No. 1/13/66-LRIL.]

New Delhi, the 20th January 1967

S.O. 323.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Burhar and Amlal Collieries of Messrs Rewa Coal Fields, Post Office Dhanpuri (District Shahdol—Madhya Pradesh), and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of the Burhar & Amlal Collieries of Messrs Rewa Coalfields is justified in removing Shri Dukalee Son of Mayaram, Leader, in Burhar Colliery No. 2, from service? If not, to what relief the workman is entitled?

[No. 3/50/66-LRIL.]

S.O. 324.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the South Parasea Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, therefore, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal No. 2, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

Whether the termination of service of Shri O. P. Dubey, Head Clerk, with effect from 13th October, 1966, by the management of South Parasea Colliery was justified? If not, to what relief is the workman entitled

[No. 6/118/66-LRIL.]

S.O. 325.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Amlabad Colliery, Post Office Amlabad, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

(a) Whether the action of the management of the Amlabad Colliery of Messrs Bhowrah Kankanee Collieries Limited, in dismissing Shri Jagdish Rajwar, Timber Mazdoor, with effect from the 6th July, 1966, was justified?

(b) If not, to what relief is the workman entitled?

[No. 2/181/66-LRIL.]

BALWANT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 13th January 1967

S.O. 326.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri R. S. Khunteta to be an Inspector for the whole of the State of Rajasthan for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of, the Central Government, or in relation to any establishment connected with a railway company, a mine or an oilfield or a controlled industry.

[No. 20(91)/65-PF-I.]

New Delhi, the 16th January 1967

S.O. 327.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the

Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3137, dated the 14th October, 1966, namely:—

In the Schedule attached to the said notification—

(i) in the entries relating to Sl. No. 2,—

(a) in column 3, after the existing entry, the following entry shall be inserted, namely:—

“Rahika”;

(b) in column 4, after the existing entry, the following entry shall be inserted, namely:—

“Bihar Khadi Gramodyog Sangh”;

(ii) in the entries relating to Sl. No. 4.

(a) in column 3, the word, “Rahika” shall be omitted;

(b) in column 4, the words, “Bihar Khadi Gramodyog Sangh” shall be omitted.

[No. F. 6(24)/65-HI.]

New Delhi, the 19th January 1967

S.O. 328.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Canara Foundary and Equipment Corporation, Maroli, Mangalore-5 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st January 1967.

[No. 3(81)/66-PF. II.]

S.O. 329.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Lloyd Insulations, Madras 10 Victoria Crescent Road, Madras-8 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st February 1967.

[No. 8(46)/66-PF. II.]

S.O. 330.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Fozdar Product Behind Calico Mills, Behrampur, Ahmedabad-17 have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st February 1967.

[No. 8(79)/66-PF. II.]

S.O. 331.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Chitra Talkies Belgaum (Mysore State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st January 1967.

[No. 8(82)/66-PF. II.]

S.O. 332.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. K. L. Poddar and Sons (P) Limited, No. 2, Ali Askar Road, Bangalore

(Mysore State) have agreed that the provisions of the Employees' Provident Funds Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment with effect from the 1st January 1967.

[No. 3(83)/66-PF. II.]

New Delhi, the 20th January 1967

S.O. 333.—Whereas the Central Government is satisfied that the employees of the Geodetic and Research Branch Workshop, Survey of India, Dehra Dun, belonging to the Government of India, are otherwise in receipt of benefits substantially similar to the benefits provided under the Employees' State Insurance Act, 1948 (34 of 1948);

Now, therefore, in exercise of the powers conferred by section 90 of the Employees' State Insurance Act, 1948 and in continuation of the notification of the Government of India in the late Department of Social Security, No. 6/84/65-HI dated the 3rd January, 1966, the Central Government hereby exempts the said Geodetic and Research Branch Workshop from all the provisions of the said Act for a further period upto and including the 31st December, 1967.

[No. F. 6(84)/65-HI.]

S.O. 334.—Whereas the Central Government was satisfied that (i) Bose Kalappi Works, Melur (ii) Gomathi Mills Ltd., Veeravanallur were situated in Melur and Veeravanallur areas which were sparse areas (that is an area whose insurable populations were less than 500) in the districts of Madurai and Tirunelveli in the State of Madras;

And, whereas by virtue of their location in a sparse area, the aforesaid factories were granted exemption from the payment of the employers' special contribution under section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) until enforcement of the provisions of Chapter V of the Act in that area by the Central Government, in the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 581 dated the 20th February, 1962:

And, whereas the Central Government is satisfied that the insurable populations of the Melur and Veeravanallur areas in the districts of Madurai and Tirunelveli in the State of Madras have now exceeded 500, and they are no longer sparse areas;

Now, therefore, in exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby makes the following further amendment in the said notification namely:—

In the schedule appended to the said notification:—

- (i) in the entries relating to Serial No. 4 the word "Melur" in column 3 and the entry against it in column 4 shall be omitted.
- (ii) in the entries relating to Serial No. 11, the word "Veeravanallur" in column 3 and the entry against it in column 4 shall be omitted.

[No. F. 6/36/66/HI.]

S.O. 335.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952) and in supersession of the notifications of the Government of India in the Late Ministry of Labour and Employment Nos.

S.O. 907, dated the 7th March, 1964.

S.O. 648, dated the 19th April, 1958,

S.O. 2845, dated the 25th November, 1961,

S.O. 2548, dated the 2nd August, 1962.

S.O. 3850, dated the 18th November, 1962,

S.O. 1318, dated the 2nd May, 1963,

S.O. 383, dated the 4th February, 1963,

S.O. 3218, dated the 18th October, 1966,

S.O. 91, dated the 27th December, 1963 and

S.O. 1014, dated the 23rd March, 1966.

the Central Government hereby appoints Sarvashri S. S. Arora, V. P. Mahajan, P. D. Khandelwal, D. N. Sehgal, N. K. Basil, K. C. Sharma, P. C. Uppal, Y. P. Bhonsle, O. P. Verma, B. Lyall and Banarsi Das to be Inspectors for the whole of the States of Punjab and Haryana and the Union territories of Himachal Pradesh and Chandigarh for the purposes of the said Act and of any Scheme framed thereunder, in relation to any establishment belonging to, or under the control of the Central Government, or in relation to any establishment connected with a railway company, a major port, a mine or an oil-field, or a controlled industry.

[No. 20 (64) 64-PF-I.]

New Delhi, the 21st January 1967

S.O. 336.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 5A of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints the Deputy Secretary to Government of India in the Ministry of Industry, as a member of the Central Board of Trustees and makes the following further amendment in the notification of the Government of India in the late Department of Social Security No. S.O. 1156, dated the 1st April, 1965, namely:—

In the said notification, for the entry against serial No. 4, the following entry shall be substituted, namely:—

"The Deputy Secretary to the Government of India, Ministry of Industry, New Delhi".

[No. 12/5/63-PF.II.]

DALJIT SINGH, Under Secy.

(Department of Labour and Employment)

New Delhi, the 16th January 1967

S.O. 337.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Delhi in respect of an industrial dispute between the management of the Central Bank of India Limited and their workmen which was received by the Central Government on the 4th January, 1967.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI

PRESENT:

SHRI ANAND NARAIN KAUL, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DELHI.

Dated the 28th December, 1966.

REFERENCE I.D. No. 9 of 1966.

BETWEEN

The employers in relation to the Central Bank of India Limited.

AND

Their Workmen.

Shri Chaman Lal Chopra—for the management.

None on behalf of the workmen.

AWARD

By S.O. No. 51(39)/66-LRIV, dated 4th October, 1966, the Central Government was pleased to refer to this Tribunal for adjudication an Industrial Dispute existing between the employers in relation to the Central Bank of India Limited and their workmen in respect of the matters specified in the terms of reference. The matters so specified are as follows:—

"Whether having regard to the provisions of paragraph 493 of the Sastry Award, the management of the Central Bank of India Ltd., Agra was justified in not calling Sarvashri R. S. Chauhan and S. K. Yadav for interview and test for the posts of 7 clerks filled up in 1964? If not, to what relief are they entitled?"

2. On receipt of the order of reference the usual notices were issued to the parties to file their written-statements. The notice for the workmen was sent to the President of the U.P. Bank Employees' Union, Maithan, Agra, which appears

to have sponsored the dispute. On behalf of the union, however, no written statement has been filed and instead a letter has been received in the following terms:—

"Whereas the Ministry of Labour vide its letter No. 51(39)/66-LRIV, dated 6th December, 1966 has refused to modify the terms of reference as contained in the above mentioned orders and whereas para 493 of the Sastry Award has got nothing to do with the stand taken up by us in the matter of Shri R. S. Chauhan and Shri S. K. Yadhav in as much as the stand of the union had been that Shri S. K. Yadhav in accordance with Bank's own commitments and Circulars and para 530 of the Sastry Award was entitled to have been considered and given preference as he was a qualified peon having passed the Matriculation Examination also, when the vacancies of Clerks were being filled in and whereas in the matter of Shri R. S. Chauhan, Assistant Cashier was entitled to be given preference being taken up as a Clerk as per Bank's own Circulars and policy and the commitment given by the Bank at the time of the vacancies of Clerks being filled up and whereas the Ministry of Labour in spite of the union's repeated requests that the reference was against the very basis of the demand of the Union and confining the reference to para 493 will deprive due justice to the employees and the Tribunal shall not be able to go beyond the scope of the para 493 and whereas the Ministry of Labour was not prepared even to make it an open reference by not confining it to any para of the Award and simply referring as to whether the Central Bank was justified in not considering the cases of Shri R. S. Chauhan and S. K. Yadhav before filling up the vacancies of Clerks in 1964 and if not to what relief they were entitled to, and whereas it is being strongly felt by us that it will be of no use to file any statement of claim before the Industrial Tribunal, Delhi on account of the unsympathetic attitude and unequity shown by the Ministry of Labour even in framing the terms of the reference, the U.P. Bank Employees' Union, Maithan, Agra is left with no alternative but to inform the Government, the Tribunal and the Bank concerned that it does not accept the terms of reference as it was never its case and accordingly under protest does not file its statement of claim before the Industrial Tribunal, Delhi, with all respects to the Tribunal and without meaning any disrespect to the Tribunal because the Union is in a helpless stage in this context."

3. On the 25th November and 13th December, 1966 which were the dates fixed for the appearance of parties and for filing their written statements, no one appeared on behalf of the union and, in the circumstances no written statement was filed on behalf of the Bank also. On 13th December the case was adjourned to the 28th December, 1966, for hearing in the light of the union's letter reproduced above and a fresh notice was issued to the union. On the 28th December again no one was present on behalf of the workmen while the Bank's learned representative Shri Chopra who has been presenting himself at every hearing argued that in view of the contents of the union's letter no dispute subsists between the parties.

4. It is settled law that a Tribunal derives its jurisdiction from the order of reference and is not empowered to go beyond the scope of the terms of reference. The term of reference itself is based on paragraph 493 of the Sastry Award and adjudication could, therefore, proceed only on that basis. Since, however, the term of reference as it stands is not acceptable to the union and it has failed to file its written statement and even to appear before me I have no alternative but to hold that no dispute subsists between the parties. I make an award accordingly.

(Three pages).

ANAND NARAIN KAUL,
Central Government Industrial Tribunal, Delhi.

The 28th December, 1966.

[No. 51(39)/66-LRIV.]

ORDER

New Delhi, the 21st January 1967

S.O. 338.—Whereas an industrial dispute exists between Shri Tikam Chand Jain, Contractor, Kokan Mines, Post Office Dalji-Rajhara, District Durg, Madhya Pradesh (hereinafter referred to as the said Company) and their workmen,

represented by the Samyukta Khadan Mazdoor Sangh, Post Office Dalli-Rajhara, District Durg, Madhya Pradesh (hereinafter referred to as the Union);

And whereas the said Company and the Union have by a written agreement, in pursuance of the provisions of sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), agreed to refer the said dispute to arbitration of the person mentioned therein, and a copy of the said arbitration agreement has been forwarded to the Central Government;

Now, therefore, in pursuance of the provisions of sub-section (3) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the said arbitration agreement, which was received by it on the 31st December, 1966.

Agreement

(Under Section 10-A of the Industrial Disputes Act, 1947)

BETWEEN

Names of parties

Representing Employers

1. Shri Tikamchand Jain, Contractor, Kokan Mines, P.O., Dalli-Rajhara, District Durg, M.P.

Representing Workmen:

1. Shri P. Ganapathi Rao, Joint Secretary, S.K.M.S. (Rajhara Branch), P.O., Dalli-Rajhara, District Durg, M.P.

It is hereby agreed between the parties to refer the following Industrial Disputes to the arbitration of Shri D. Panda, Regional Labour Commissioner (Central), Jabalpur.

(i) Specific matters in dispute:

Whether the termination of employment of the miners whose names are given in annexure 'A' by Shri Tikamchand Jain, Contractor, Kokan Mines of Bhilai Steel Plant from the date shown against their names in the said annexure was legal and justified? If not, to what relief are these workmen entitled?

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved:

Shri Tikam Chand Jain, Contractor, Kokan Mines, P.O. Dalli Rajhara, District Durg, M.P.

(iii) Name of the Union, if any, representing the workmen in question:

AND
His workmen.

(iv) Total number of workmen employed in the undertaking affected:

Secretary, S.K.M.S. (Rajhara, Branch), P.O., Dalli-Rajhara, M.P.
350 (Three hundred and fifty only).

(v) Estimated number of workmen affected or likely to be affected by the dispute:

30 (Thirty only).

We further agree that the decision of the arbitrator shall be binding on us.

The arbitrator shall make his award within a period of three months or within such further time as is extended by mutual agreement between us in writing. In case the award is not made within the period aforementioned the reference to arbitration shall stand automatically cancelled and we shall be free to negotiate for fresh arbitration.

Signature of the parties:

Representing Employer:

Sd./- TIKAMCHAND JAIN.

Witnesses: 1. Sd/-Illegible.

2. Sd/- Illegible.

Rajhara Dated 27th October, 1966.

Representing workmen:

Sd./- P. GANAPATHY RAO.

ANNEXURE "A"

1. Rama Rao S/o Bajirao
2. Bhagwati W/o Ramarao
3. Lathkhore S/o Rambharose
4. Sansarabai S/o. Lathkhore
5. Kanglu S/o Firtu
6. Sundaria Bai S/o Kanglu
7. Paltan S/o Sukhram
8. Biswasabai S/o Sobharam
9. Bisram S/o Harichand
10. Sonabai W/o Bisram
11. Anumpram S/o Mukundi
12. Lakhan S/o Anupram
13. Rapbati W/o Anupram
14. Daduram S/o Gosai
15. Sunderbai S/o Daduram
16. Basantin D/o Daduram
17. Lathkhore S/o Sukhram
18. Bahura Bai W/o Lathkhore
19. Udayaram S/o Gopal
20. Manhitinbai W/o Gopal
21. Ram Prasad S/o Lilaram
22. Sirdesi Paltan
23. Phool Singh Kartik
24. Laxman Milap
25. Smt. Rambha Sahdeo
26. Shri Sahdeo Ratan
27. Shri Tilak Tularam
28. Shri Dasru Raisingh
29. Pingal Kabal
30. Smt. Kaphi Bakhariya

Terminated from 11-7-1966.

Terminated from 18-7-1966.

Sd/- JIBON MUKHERJEE,

Secretary.

Samyukta Khadan Mazdur Sangh.

OFFICE OF THE REGIONAL LABOUR COMMISSIONER (CENTRAL)

No. J-86A(29)/66

Jabalpur Dated the 21st December, 1966.

To

The A. L. C. (C),

Bilaspur.

SUBJECT:—*Industrial dispute between M/s. Tikamchand Jain, Contractors, Kokan Mines of BSP and their workmen represented by the SKM Sangh over the alleged illegal termination of services and change in service condition of workers employed by the Contractors—Arbitration under Section 10-A.*

Please refer to your letter No. BL-11(193)/66, dated 9th December 1966 on the above subject.

I give my consent to act as an arbitrator under section 10-A of the Industrial Disputes Act, 1947 in the above dispute.

Sd./- D. PANDA.

21-12-66.

Regional Labour Commissioner (Central), Jabalpur.

[No. F. 37/22/66-LRL]

A. L. HANDA, Under Secy.

MINISTRY OF FINANCE**(Department of Economic Affairs)***New Delhi, the 17th January 1967*

S.O. 339.—In pursuance of clause (a) of sub-section (1) read with sub-section (4) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints Shri A. Baksi as a Deputy Governor of the Reserve Bank of India for a period of five years from the date on which he takes over charge as Deputy Governor.

[No. F. 3(75)-BC/66.]

S. S. SHIRALKAR, Addl. Secy.

(Department of Economic Affairs)

New Delhi, the 14th January 1967

S.O. 349.—Statement of the Affairs of the Reserve Bank of India as on the 6th January 1967

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	24,47,15,000
		Rupee Coin	5,52,000
Reserve Fund	80,00,00,000	Small Coin	3,59,000
National Agricultural Credit (Long Term Operations) Fund	115,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal	—
		(b) External	—
		(c) Government Treasury Bills	266,44,76,000
National Agricultural Credit (Stabilisation) Fund	16,00,00,000	Balances Held Abroad*	14,81,28,000
National Industrial Credit (Long Term Operations) Fund	20,00,00,000	Investments**	108,47,80,000
		Loans and Advances to :—	
		(i) Central Government
		(ii) State Governments @	104,06,16,000

Deposits :—

(a) Government :—

(i) Central Government	51,05,66,000
(ii) State Governments	7,83,12,000

(b) Banks :—

(i) Scheduled Commercial Banks	111,45,97,000
(ii) Scheduled State Co-operative Banks	4,51,57,000
(iii) Non-Scheduled State Co-operative Banks	49,54,000
(iv) Other Banks	4,39,000

(v) Others	277,38,11,000
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Bills Payable	28,21,17,000
Other Liabilities	77,61,27,000

Rupees 794,60,80,000

Loans and advances to :—

(i) Scheduled Commercial Banks†	11,21,45,000
(ii) State Co-operative Banks‡	171,58,41,000
(iii) Others	1,95,26,000

Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund:—

(a) Loans and Advances to :—

(i) State Governments	29,06,41,000
(ii) State Co-operative Banks	13,23,16,000
(iii) Central Land Mortgage Banks	

(b) Investment in Central Land Mortgage Bank Debentures	7,11,01,000
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Loans and Advances from National Agricultural Credit (Stabilisation) Fund:—

Loans and Advances to State Co-operative Banks	3,80,47,000
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Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund:—

(a) Loans and Advances to the Development Bank	4,93,89,000
--	-------------

(b) Investment in bonds/debentures issued by the Development Bank	
Other Assets	33,34,48,000

Rupees 794,60,80,000

*Includes Cash and Short-term Securities.

**Excluding investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 4,35,00,000 advanced to scheduled commercial banks against usance bills under section 17(4)(c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 11th day of January, 1967.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 6th day of January 1967

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department.	24,47,15,000		Gold Coin and Bullion :—		
Notes in circulation	2917,26,92,000		(a) Held in India	115,89,25,000	
Total Notes issued		2941,74,07,000	(b) Held outside India	
			Foreign Securities	186,42,01,000	
			TOTAL		302,31,26,000
			Rupee Coin		84,51,22,000
			Government of India Rupee Securities		2554,91,59,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		2941,74,07,000	TOTAL ASSETS		2941,74,07,000

Dated the 11th day of January, 1967.

P. C. BHATTACHARYYA,
Governor.

[No. F.3(3)-BC/67.]

New Delhi, the 21st January 1967

S.O. 341.—Statement of the Affairs of the Reserve Bank of India, as on the 13th January 1966

BANKING DEPARTMENT

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	9,84,85,000
		Rupee Coin	4,69,000
Reserve Fund	80,00,00,000	Small Coin	2,93,000
		Bills Purchased and Discounted:—	
National Agricultural Credit (Long Term Operations)		(a) Internal
Fund	115,00,00,000	(b) External
		(c) Government Treasury Bills	269,75,00,000
National Agricultural Credit (Stabilisation) Fund	16,00,00,000	Balances Held Abroad*	11,02,86,000
		Investments**	132,47,92,000
National Industrial Credit (Long Term Operations) Fund	20,00,00,000	Loans and Advances to:—	
		(i) Central Government
		(ii) State Governments@	97,80,17,000

LIABILITIES	Rs.	ASSETS	Rs.
Deposits:—		Loans and Advances to:—	
(a) Government		(i) Scheduled Commercial Banks†	30,62,50,000
(i) Central Government	52,54,92,000	(ii) State Co-operative Banks††	175,52,45,000
(ii) State Governments	7,64,39,000	(iii) Others	2,17,51,000
(b) Banks—		Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
(i) Scheduled Commercial Banks	125,13,31,000	(a) Loans and Advances to:—	
(ii) Scheduled State Co-operative Banks	4,70,54,000	(i) State Governments	28,91,94,000
(iii) Non-Scheduled State Co-operative Banks	72,40,000	(ii) State Co-operative Banks	13,14,58,000
(iv) Other Banks	3,13,000	(iii) Central Land Mortgage Banks
(c) Others	277,38,46,000	(b) Investment in Central Land Mortgage Bank Debentures	7,11,93,000
Bills Payable	34,90,12,000	Loans & Advances from National Agricultural Credit (Stabilisation) Fund
Other Liabilities	81,55,75,000	Loans and Advances to State Co-operative Banks	3,79,92,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank	4,93,89,000
		(b) Investment in bonds/debentures issued by the Development Bank
		Other Assets	33,39,88,000
Rupees	820,63,02,000	Rupees	820,63,02,000

*Includes Cash and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. 6,66,00,000 advanced to scheduled commercial banks against usance bills under Section 17(4)(c) of the R.B.I. Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 18th day of January 1967.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 13th day of January 1967

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	9,84,85,000		Gold Coin and Bullion		
Notes in circulation	2960,23,85,000		(a) Held in India	115,89,25,000	
Total Notes issued		2970,08,70,000	(b) Held outside India	..	
			Foreign Securities	186,42,01,000	
			TOTAL		302,31,26,000
			Rupee Coin		82,85,85,000
			Government of India Rupee Securities		25 84.91.59,000
			Internal Bills of Exchange and other commercial paper		..
TOTAL LIABILITIES		2970,08,70,000	TOTAL ASSETS		2970,08,70,000

Dated the 18th day of January 1967.

P. C. BHATTACHARYYA, Governor.

[No. F. 3(3)-BC/67.]

V. SWAMINATHAN, Under Secy.

(Department of Revenue and Insurance)

ESTATE DUTY

New Delhi, the 20th January 1967

S.O. 342.—In exercise of the powers conferred by sub-section (3) of Section 4 of the Estate Duty Act, 1953 (34 of 1953), the Central Government hereby appoints the persons, whose names are given in the appendix, as Valuers for the purpose of the Said Act for a period of five years from the date of this Notification.

2. The scale of charges for the remuneration of Valuers appointed by the Central Government for valuing any property shall be as fixed below and no such Valuer shall charge a fee at a scale higher than the scale so fixed:

Provided that where two or more properties are required to be valued—

(i) by a Committee of Arbitration or by a third valuer in pursuance of a single order, or

(ii) by a Valuer, in pursuance of a single reference made by a Controller of Estate Duty or at the instance of an accountable person.

all such properties shall be deemed to constitute a single unit of property for the purposes of fixing the fee payable to the Committee or the Valuer, as the case may be:

Provided further that where the same property or properties required to be valued by the same Committee of Arbitration or, as the case may be, by the same Valuer, is or are common to more than one case and the valuation relates to the same date, the Committee of Arbitration or the Valuer shall be entitled to charge fees at the scale fixed below only in one case and in the remaining case or cases the said Committee of Arbitration or Valuer shall be entitled to charge fees not exceeding rupees one hundred per case.

Scale of Charges

On the first Rs. 50,000 of the property so 1/2 percent of the value valued.

On the next Rs. 1,00,000/- of the property so 1/4 percent of the value valued.

On the balance of the property so valued 1/8 percent of the value

3. Notwithstanding anything contained in paragraph 2, the remuneration payable to a Valuer shall in no case be less than rupees fifty.

APPENDIX

Sl. No.	Name	Address
<i>I. Engineers/Surveyors/Architects</i>		
1	Shri Kotha Subba Rao, B. E. M. E. Ph., A.M.I.E. (Ind.)	Nagavanam, Ramanayyapeta, Kakinade—3 East Godavari. Dt.
2	Shri Khushalani, K.B.	D-1/2 Satyamarg Chanikyapuri New Delhi.
3	Shri Nat, Gopal Singh C. E. (Roorkee), A.M.I.E. (Ind.)	Shop No. 2, Royal Commercial College Lajpat Rai Market, Ludhiana.
4	Shri K. Aswathappa, K. B. E. (Hons). A.M.I.E., B.I.	C/o K. A. Engineer & Co., 193, Moun Road, Madras—2.
5	Shri Mehta, G.N. B.E. M.I.E.	Paritosh Sampatrao Colony, Baroda—5.
6	Shri Kotasthane, M. V. A. R. I. B. A., F.I.I.A.	55, Apollo Street, Bombay.
7	Shri Doshi, Pravinchandra Hiralal, B.E., A.M.I.E., A.I.A.S. (Lond.).	26, Imperial Chambers, Wilson Road Ballard Estate, Bombay.
8	Shri Dikshit, Shantilal Harishanker, B.E. (Civil).	Mandalia Building, Linda Lane, Jamna- gar.
9	Shri Gobhai Z.N., A.R.I.B.A., A.I.I.A. f	C/o K. P. Davar & Co., "Churchgate House" 3234, Veer Nariman Road, Fort, Bombay.

Sl. No.	Name	Address
II. Accountants		
1	Shri Haribhakti, V.B. B. Com., F.C.A.	Bombay Mutual Chambers, 3rd Floor, 19-21 Hamam Street, Fort, Bombay
2	Shri Dalal, Arvind P., C.A.	C/o M/s. Naubhai Desai & Co., Chartered Accountants, 16, Apollo, Street, Bmbay-1.
3	Shri Basu Ashis Kumar, B.Com., F.C.A.	C/o M/s. S. N. Guha & Co., Chartered Accountants, 12, Waterloo Street Calcutta.

III. Specialists in Jewellery, Precious Stones and Ornaments.

1	Shri Jhaveri, P.M. B.A.	C/o Manilal Rikhavchand & Co., 191 Mumbadevi Road, Bombay-2.
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IV. Actuaries

1	Shri Daruwalla, Rusi K. B. Com., F.I.A., (Lond).	4B, Jeevan Asha, 60A, Peddar Road, Bombay-20. W.B.
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V. Valuation of Standing Forests

1	Shri Rao, Sarvothama, B. Sc., A.I.F.C.	Working Plan Officer, Cuddapah South Dn, Cuddapah.
2	Shri Qureshi, I.M., M.Sc., A.I.F.C., P.F.S.	Conservator of Forests, Office of Central Silviculturist, Forest Research Institute P. O., New Forest, Dehra dun.

[No. 1/F. No. 5/3/67-E.D.]

G. R. HEGDE, Dy. Secy.

OFFICE OF THE DEPUTY COLLECTOR OF CUSTOMS & CENTRAL EXCISE, AMRITSAR*Amritsar, the 27th December 1966*

S.O. 343.—In exercise of the powers conferred upon me under rule 15 and 16 of the Central Excise Rules, 1944 and in partial modification of the notification issued under C. No. V(a)84/11/Int/63, dated 21st March 1963 by the Collector of Central Excise, New Delhi, I hereby notify that no declaration will be necessary under said rules in respect of unmanufactured tobacco grown in the areas not exceeding the limits specified in col. 8 of the sub-joined schedule and cured in quantities not exceeding the limits indicated in col. 9 of the same schedule in the whole of the revenue jurisdictions set out in col. 7 thereof falling within the jurisdiction of the respective revenue tehsils mentioned in col. 6 of the Central Excise Division, Faridabad.

Form of the Annexure No. II to Notification issued under

Sl. No.	Name of the Division	Name of the Circle	Name of the Range	Name of the Revenue District	Name of Tehsil
1	2	3	4	5	6
	Rohtak	Gurgaon	Gurgaon M.O.R.	Gurgaon	Gurgaon
	Rohtak	Gurgaon	Palwal	Gurgaon	Palwal
	Rohtak	Gurgaon	Charkhi Dadri	Mohindergarh	Charkhi Dadri
	Rohtak	Gurgaon	Rewari	Gurgaon	Rewari
	Rohtak	Gurgaon	Faridabad M.O.R.I.	Gurgaon	Ballabgarh
	Rohtak	Gurgaon	Narnaul	Mohinder garh	Mohindergarh
	Rohtak	Y-Nagar	Panipat M.O.R.	Karnal	Panipat
	Rohtak	Y-Nagar	Karnal	Karnal	Karnal
		Y-Nagar	Kaithal	Karnal	Kaithal
		Y-Nagar	Shahbad	Karnal	Thanesar
		Y-Nagar	Y-Nagar M.O.R.	Ambala	Jagadhri
		Rohtak	Bhiwani	Hissar	Bhiwani
		Rohtak	Sirsa	Hissar	Bhiwani
		Rohtak	Rohtak M.O.R.	Rohtak	Gohana
		Rohtak	Rohtak M.O.R.	Rohtak	Rohtak
		Rohtak	Rohtak M.O.R.	Rohtak	Jhagger
		Rohtak	Rohtak M.O.R.	Rohtak	Sonepat
	Rohtak	Rohtak	Hissar	Hissar	Hissar
	Rohtak	Rohtak	Hissar	Hissar	Hansi

Rules 15 and 16

Rev. Village exempted under Rules 15 and 16	Maximum area upto a grower may cultivate tobacco without declaration under Rule 15 of C.E. Rules, 1944 in area specified in Col. 7	Qty. upto which a grower may cure tobacco without declaration under Rule 16 of C.E. Rules, 1944 within the area specified in Col. 7	Remarks
7	8	9	10
All Villages except 1. Patrari 2. Nakhoria 3. Batha 4. Sikandarpur 5. Islampur 6. Tajnagar 7. Fatola 8. Fazilpur 9. Manesar 10. Jhanaula 11. Jhund Sarai 12. Shikohpur 13. Seethi 14. Kherki Daula 15. Sampka 16. Sammithla 17. Gharrot 18. Alooka.	5 Ares	45 Kgs.	
All Villages except 1. Bamni Khera.	5 Ares.	45 Kgs.	
All Villages except 1. Neemli 2. Hardoi 3. Khankroli 4. Atela 5. Bila Wal 6. Manai Haria 7. Daulma 8. Sawli 9. Lad 10. Medha 11. Atela Khurd 12. Chhappar 13. Dokahana 14. Rawaldhi 15. Bardna 16. Badal 17. Rawalwas.	5 Ares	45 Kgs.	
All Villages	5 Ares.	45 Kgs.	
All Villages	"	"	
All Villages	"	"	
All Villages except 1. Panipat			
All Villages except 1. Karnal 2. Gharonda 3. Pabana Hassanpur			
All Villages except Kaithal			
All Villages.			
All Villages	5 Ares	45 Kgs.	
All Villages except 1. Chang 2. Rewari.			
All Villages			
All Villages except 1. Gohana.			
All Villages except 1. Hasangarh.			
All Villages except 1. Badli 2. Karoda 3. Ruriawas			
1. Bajan Kalan 2. Thanakhurd.			
1. Alipur 2. Kharar 3. Jcora			
4. Kagsar 5. Majra 6. Narnand 7. Moth Karnail 8. Niyana			

[No. V(4)DC/15/1CE/64/24635.]

N. N. ROY CHOUDHURY, Dy. Collector.

THE MADRAS CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISE

Madras, the 5th January 1967

S.O. 344.—In exercise of powers conferred on me under Rule 5 of the Central Excise Rules, 1944, I order that the following amendment shall be made in the Notification of the Collectorate of Central Excise, Madras No. 3/Central Excise dated 24th March, 1948:—

In the Table appended to the said Notification, under Col. III against Item 2, the following shall be inserted, namely: "In respect of Rule 140 of the Central Excise Rules, 1944, the powers are limited to only licensing of private bonded warehouses".

[No. V4(30)/9/66 CX. III.]

S. VENKATARAMAN,

Collector.

MINISTRY OF EDUCATION

New Delhi, the 20th January 1967

S.O. 345.—Whereas the Central Government is of opinion that the ancient and historical monuments specified in the Schedule to this Notification have ceased to be of national importance.

Now, therefore, in exercise of the powers conferred by section 35 of the Ancient Monuments and Archaeological Sites and Remains Act, 1958 (24 of 1958), the Central Government hereby declares that the monuments aforesaid have ceased to be of national importance for the purposes of the said Act.

SCHEDULE

State	District	Locality	Name of monument	Protectin notification No. and date (i) Preliminary (ii) Confirmatory
Mysore	Bijapur	Bijapur	Begum Talav dam, and all the watch towers and the underground pipe lines of the ancient water supply from the Talav to Gol Gumbaz via Asar Mahal.	(i) No. 2604. dated 21-9-1926. (ii) No. 2604, dated 19-4-1927. Government of Bombay

[No. F. 3-2/66-CAI(1).]

SHARDA RAO (MRS),
Assistant Educational Adviser.